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SITTING DAYS—2006

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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**: 103.9 FM
- **SYDNEY**: 630 AM
- **NEWCASTLE**: 1458 AM
- **GOSFORD**: 98.1 FM
- **BRISBANE**: 936 AM
- **GOLD COAST**: 95.7 FM
- **MELBOURNE**: 1026 AM
- **ADELAIDE**: 972 AM
- **PERTH**: 585 AM
- **HOBART**: 747 AM
- **NORTHERN TASMANIA**: 92.5 FM
- **DARWIN**: 102.5 FM
FORTY-FIRST PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Governor-General

His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross

Senate Officeholders

President—Senator the Hon. Paul Henry Calvert
Deputy President and Chairman of Committees—Senator John Joseph Hogg

Leader of the Government in the Senate—Senator the Hon. Nicholas Hugh Minchin
Deputy Leader of the Government in the Senate—Senator the Hon. Helen Lloyd Coonan
Leader of the Opposition in the Senate—Senator Christopher Vaughan Evans
Deputy Leader of the Opposition in the Senate—Senator Stephen Michael Conroy
Manager of Government Business in the Senate—Senator the Hon. Christopher Martin Ellison
Manager of Opposition Business in the Senate—Senator Joseph William Ludwig

Senate Party Leaders and Whips

Leader of the Liberal Party of Australia—Senator the Hon. Nicholas Hugh Minchin
Deputy Leader of the Liberal Party of Australia—Senator the Hon. Helen Lloyd Coonan
Leader of The Nationals—Senator the Hon. Ronald Leslie Doyle Boswell
Deputy Leader of The Nationals—Senator the Hon. John Alexander Lindsay (Sandy) Macdonald
Leader of the Australian Labor Party—Senator Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Stephen Michael Conroy
Leader of the Australian Democrats—Senator Lynette Fay Allison
Leader of the Australian Greens—Senator Robert James Brown
Leader of the Family First Party—Senator Steve Fielding
Liberal Party of Australia Whips—Senators Jeannie Margaret Ferris and Alan Eggleston
Nationals Whip—Senator Nigel Gregory Scullion
Opposition Whips—Senators George Campbell, Linda Jean Kirk and Ruth Stephanie Webber
Australian Democrats Whip—Senator Andrew John Julian Bartlett
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
### Members of the Senate

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(1) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. John Joseph Herron, resigned.
(2) Chosen by the Parliament of Victoria to fill a casual vacancy vice Hon. Richard Kenneth Robert Alston, resigned.
(3) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.
(4) Chosen by the Parliament of Tasmania to fill a casual vacancy vice Susan Mary Mackay, resigned.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy vice Hon. Robert Murray Hill, resigned.

**PARTY ABBREVIATIONS**

AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Labor Party; FF—Family First Party; LP—Liberal Party of Australia; NATS—The Nationals

**Heads of Parliamentary Departments**

Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister                  The Hon. John Winston Howard MP
Minister for Trade and Deputy Prime Minister The Hon. Mark Anthony James Vaile MP
Treasurer                       The Hon. Peter Howard Costello MP
Minister for Transport and Regional Services The Hon. Warren Errol Truss MP
Minister for Defence             The Hon. Dr Brendan John Nelson MP
Minister for Foreign Affairs    The Hon. Alexander John Gosse Downer MP
Minister for Health and Ageing and Leader of the House The Hon. Anthony John Abbott MP
Attorney-General                 The Hon. Philip Maxwell Ruddock MP
Minister for Finance and Administration, Leader of the Government in the Senate and Vice-President of the Executive Council Senator the Hon. Nicholas Hugh Minchin
Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House The Hon. Peter John McGauran MP
Minister for Immigration and Multicultural Affairs Senator the Hon. Amanda Eloise Vanstone
Minister for Education, Science and Training and Minister Assisting the Prime Minister for Men’s Issues The Hon. Julie Isabel Bishop MP
Minister for Families, Community Services and Indigenous Affairs The Hon. Malcolm Thomas Brough MP
Minister Assisting the Prime Minister for Indigenous Affairs
Minister for Industry, Tourism and Resources The Hon. Ian Elgin Macfarlane MP
Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service The Hon. Kevin James Andrews MP
Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate Senator the Hon. Helen Lloyd Coonan
Minister for the Environment and Heritage Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)
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<td>Minister for Fisheries, Forestry and Conservation</td>
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<td>Minister for the Arts and Sport</td>
<td>Senator the Hon. Charles Roderick Kemp</td>
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<td>The Hon. Joseph Benedict Hockey MP</td>
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<td>Minister for Community Affairs</td>
<td>The Hon. John Kenneth Cobb MP</td>
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<tr>
<td>Minister for Revenue and Assistant Treasurer</td>
<td>The Hon. Peter Craig Dutton MP</td>
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<tr>
<td>Special Minister of State</td>
<td>The Hon. Gary Roy Nairn MP</td>
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<tr>
<td>Minister for Vocational and Technical Education and Minister Assisting</td>
<td>The Hon. Gary Douglas Hardgrave MP</td>
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<tr>
<td>Minister for Ageing</td>
<td>Senator the Hon. Santo Santoro</td>
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<tr>
<td>Minister for Small Business and Tourism</td>
<td>The Hon. Frances Esther Bailey MP</td>
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<tr>
<td>Minister for Local Government, Territories and Roads</td>
<td>The Hon. James Eric Lloyd MP</td>
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<td>The Hon. Bruce Frederick Billson MP</td>
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<td>Parliamentary Secretary to the Minister for Finance and Administration</td>
<td>Senator the Hon. Richard Mansell Colbeck</td>
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<td>Jennifer Louise Macklin MP</td>
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<td>Senator Stephen Michael Conroy</td>
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<td>Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories</td>
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<td>Kelvin John Thomson MP</td>
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<td>Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women</td>
<td>Tanya Joan Plibersek MP</td>
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<td>Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility</td>
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<td>The Hon. Warren Edward Snowdon MP</td>
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Thursday, 11 May 2006

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

NOTICES

Presentation

Senator Humphries to move on the next day of sitting:

That the Senate—

(a) notes:

(i) that 20 years have passed since the nuclear reactor accident which occurred on 26 April 1986 at Chernobyl, with adverse consequences for approximately 2 million people in each of Belarus, the Ukraine and Russia, with some 600 000 clean-up workers and more than 350 000 evacuees being exposed to high levels of radiation,

(ii) some estimates that the radiation emitted by the Chernobyl blast delivered into the atmosphere 90 times the radioactive materials of the atomic bomb blast at Hiroshima,

(iii) that a radius of 30 kilometres around the Chernobyl reactor has been declared an exclusion zone that will be uninhabitable for centuries,

(iv) that as far away as Britain, hundreds of farms are still suffering from low-level radioactive debris, which was borne thousands of kilometres by winds from Chernobyl,

(v) that of the three most affected countries, the Ukraine has a special role as custodian of the Chernobyl reactor site, with the cost of a new sarcophagus likely to slow the development of its economy, and

(vi) that the Ukraine and Belarus have, since independence, demonstrated good faith to the world community by eliminating their stockpiles of Soviet nuclear warheads, and the Ukraine has shut down the three remaining operable reactors on the Chernobyl site;

(b) expresses concern that:

(i) as time progresses there has been a gradual downgrading of awareness in the Australian and world community about the Chernobyl tragedy and its lessons,

(ii) the affected people in Belarus, the Ukraine and Russia are not receiving appropriate treatment due to a lack of funding, alternative priorities and ignorance of the full consequences, which include thousands of thyroid cancers in the affected zone,

(iii) difficult economic conditions in the Ukraine will hinder that country’s ability to fully respond to the challenge of securing the safety of the closed Chernobyl power station, and

(iv) the Ukraine needs to secure the safety of currently operating reactors, especially in light of its plans to expand nuclear power; and

(c) calls on the Government to:

(i) consider the lessons of Chernobyl when implementing Australia’s nuclear energy policy, and its policy with respect to sales of Australian uranium to other countries,

(ii) take steps, such as educational programs, to ensure that the lessons of Chernobyl are not forgotten by the generation that witnessed the catastrophe, nor missed by the generation of Australians that has been born since 1986, and

(iii) ensure that open inquiry and debate are pursued in the consideration of nuclear power issues.

Senator Joyce to move on Wednesday, 14 June 2006:

That the Petroleum Retail Marketing Sites Amendment Regulations 2006 (No. 1), as contained in Select Legislative Instrument 2006 No. 73 and made under the Petroleum Retail Marketing Sites Act 1980, be disallowed.
Senator Siewert to move on the next day of sitting:


…the Department of Employment and Workplace Relations reassess which of the guidelines under the package are to be disallowable by the Parliament; that is, that it ensure key aspects of the guidelines be determined by disallowable instruments. This will ensure consistency in application as well as appropriate Parliamentary scrutiny. In particular, the Committee recommends that guidelines dealing with what constitutes unsuitable paid employment, special family circumstances, suitable and unsuitable activities for participation, and compliance issues are based on disallowable instruments.

(2) That the following matter be referred to the Community Affairs Legislation Committee for inquiry and report by 14 September 2006:

The extent and effectiveness of the following regulations made under the *Social Security Act 1991* in giving effect to the recommendation of the Community Affairs Legislation Committee’s report:

(a) Social Security (Activity Agreement Requirements) (DEST) Determination 2006 [F2006L00390];
(b) Social Security (Activity Agreement Requirements) (DEWR) Determination 2006 [F2006L00338];
(c) Social Security (Activity Agreement Requirements) (FaCSIA) Determination 2006 [F2006L00348];
(d) Social Security (Prospective Determinations for Parenting Payment Recipi-

ents) (DEWR) Guidelines 2006 [F2006L00336];
(e) Social Security (Reasonable Excuse) (DEST) Determination 2006 [F2006L00397];
(f) Social Security (Reasonable Excuse) (DEWR) Determination 2006 [F2006L00340];
(g) Social Security (Reasonable Excuse) (FaCSIA) Determination 2006 [F2006L00350];
(h) Social Security (Special Circumstances relating to a Person’s Family) (DEWR) Determination 2006 [F2006L00339];
(i) Social Security (Special Circumstances relating to a Person’s Family) (FaCSIA) Determination 2006 [F2006L00349];
(j) Social Security (Unsuitable Work) (DEWR) Determination 2006 [F2006L00341]; and
(k) Social Security (Unsuitable Work) (FaCSIA) Determination 2006 [F2006L00347].

Senator Bob Brown to move on the next day of sitting:

That the Criminal Code Amendment Regulations 2005 (No. 14), as contained in Select Legislative Instrument 2005 No. 298, specifying the Kurdistan Workers Party (PKK) as a terrorist organisation, and made under the *Criminal Code Act 1995*, be disallowed.

COMMITTEES

Selection of Bills Committee

Report

Senator Ferris (South Australia) (9.31 am)—I present the 4th report of 2006 of the Selection of Bills Committee and I indicate that the report we are tabling is in an amended form and includes a recommendation to refer the Fuel Tax Bill 2006 and a related bill to the Economics Legislation Committee for reporting and a hearing by 7 June 2006.

Ordered that the report be adopted.
Senator FERRIS—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 4 OF 2006

(1) The committee met in private session on Wednesday, 10 May 2006 at 4.16 pm.

(2) The committee resolved to recommend—

That—

(a) the Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 17 August 2006 (see appendices 1 and 2 for a statement of reasons for referral);

(b) the provisions of the Maritime Transport and Offshore Facilities Security Amendment (Security Plans and Other Measures) Bill 2006 be referred immediately to the Rural and Regional Affairs and Transport Legislation Committee for inquiry and report by 15 June 2006 (see appendix 3 for a statement of reasons for referral);

(c) the provisions of the Australian Technical Colleges (Flexibility in Achieving Australia’s Skills Needs) Amendment Bill 2006 be referred immediately to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 6 June 2006 (see appendix 4 for a statement of reasons for referral);

(d) upon its introduction into the House of Representatives, the provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006 be referred immediately to the Legal and Constitutional Legislation Committee for inquiry and report by 13 June 2006 (see appendix 5 for a statement of reasons for referral); and

(e) the provisions of the Fuel Tax Bill 2006 and Fuel Tax (Consequential and Transitional Provisions) Bill 2006 be referred immediately to the Economics Legislation Committee for inquiry and report by 7 June 2006 (see appendices 6 and 7 for a statement of reasons for referral).

(3) The committee resolved to recommend—

That the following bills not be referred to committees:

- ASIO Legislation Amendment Bill 2006
- Aviation Transport Security Amendment Bill 2006
- Child Support Legislation Amendment (Reform of the Child Support Scheme—Initial Measures) Bill 2006
- Defence Housing Authority Amendment Bill 2006
- Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) (Consequential Amendments) Bill 2006
- Protection of the Sea (Powers of Intervention) Amendment Bill 2006
- Social Security and Family Assistance Legislation Amendment (Miscellaneous Measures) Bill 2006
- Social Security and Veterans’ Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006

The committee recommends accordingly.

(4) The committee deferred consideration of the following bills to the next meeting:

Bills deferred from meeting of 10 May 2006

- Australia-Japan foundation (Repeal and Transitional Provisions) Bill 2006
- Intellectual Property Laws Amendment Bill 2006
- Protecting Children from Junk Food Advertising Bill 2006.

(Jeanie Ferris)
Chair
11 May 2006
Appendix 1

Proposal to refer a bill to a committee

Name of bill:
Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005

Reasons for referral/principal issues for consideration:

Most pregnancy counselling services are not subject to the Trade Practices Act because they do not charge for the information they provide. This means they are not prohibited from engaging in misleading or deceptive advertising.

The Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005 would make pregnancy counselling organisations subject to similar misleading and deceptive advertising laws as those organisations engaged in trade or commerce.

We would like a committee to examine the adequacy of the legislation in improving regulation of pregnancy counselling, and ensure the counselling provided by Government-funded pregnancy counselling services is objective, non-directive, and includes information on all three pregnancy options.

Possible submissions or evidence from:
Reproductive Choice Australia; Sexual Health & Family Planning Australia; the Public Health Association of Australia; Children By Choice Association Inc; the Australian Women’s Health Network; Australian Reproductive Health Alliance; the Women’s Electoral Lobby; the Royal Women’s Hospital, Melbourne; EP A Health; the Fertility Control Clinic in East Melbourne; the Bessie Smyth Foundation; the Pregnancy Advisory Centre, Central Northern Adelaide Health Service; the Department of Health and Ageing.

Committee to which bill is to be referred:
Community Affairs Legislation Committee

Possible hearing date(s):
Possible reporting date: 5 May 2006

Appendix 2

Proposal to refer a bill to a committee

Name of bill(s):
Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005

Reasons for referral/principal issues for consideration

This is a complex bill and great care will be needed to properly assess its impact on advertising and the provision of information re pregnancy counselling services.

Possible submissions or evidence from:
Family planning and pregnancy counselling services; advertising and media; Sensis/White and Yellow Pages; health care professionals; ethesists

Committee to which bill is referred:
Community Affairs Legislation Committee

Possible hearing date:
Possible reporting date(s): November 2006

Appendix 3

Proposal to refer a bill to a committee

Name of bill(s):
Maritime Transport and Offshore Facilities Security Amendment (Security Plans and Other Measures) Bill 2006

Reasons for referral/principal issues for consideration

To consider the effectiveness and impact of the bill to:

(1) Enhance security against terrorism
(2) Operate fairly on Australian workers and industry
(3) to provide a better forum for community industry feedback

Possible submissions or evidence from:
MUA—Maritime Union, ports, freight companies

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

Possible hearing date: 22 May 2006
Possible reporting date(s): 15 June 2006
Appendix 4
Proposal to refer a bill to a committee
Name of bill:
Australian Colleges (Flexibility in Achieving Australia’s Skill’s Needs) Amendment Bill 2006
Reasons for referral/principal issues for consideration:
To examine the provisions of the bill relating to changing funding timelines; in particular to consider the evidence that these changes are necessary.
Possible submissions or evidence from:
Department of Education, Science and Training
Australian Council for Private Education and Training
Australian Education Union
Independent Education Union of Australia
The Australian Council of Trade Unions
Committee to which bill is to be referred:
Employment, Workplace Relations and Education Legislation Committee
Possible hearing date(s):
Possible reporting date: 6 June 2006

Appendix 5
Proposal to refer a bill to a committee
Name of bill(s):
Migration Amendment (Designated Unauthorised Arrivals) Bill 2006
Reasons for referral/principal issues for consideration:
Examine the bill as necessary
Possible submissions or evidence from:
Committee to which bill is referred:
Employment, Workplace Relations and Education Legislation Committee
Possible hearing date:
Possible reporting date(s): 6 June 2006

Appendix 6
Proposal to refer a bill to a committee
Name of bills:
Fuel Tax Bill 2006
Reasons for referral/principal issues for consideration:
To examine the provisions of the bill which makes substantial changes to excise on fuels and alternative fuels, including introducing a new credit scheme, in the context of rising petrol prices and climate change.
Possible submissions or evidence from:
National Farmers Federation
ASPO-Australia Biofuels Working Group
Biodiesel Association of Australia
Bioenergy Australia
Microbiogen Pty Ltd
Enecon Pty Ltd
Natural Fuels Australia Ltd
Greenfleet Australia
Riverina Biofuels Pty Ltd
ACT Peak Oil
Australian Automobile Association
Australian Conservation Foundation
Centre for Low Emission Technology
Committee to which bill is to be referred:
Economics Legislation Committee
Possible hearing date(s):
Possible reporting date: 21 June 2006

Appendix 7
Proposal to refer a bill to a committee
Name of bill(s):
Fuel Tax Bill 2006
Reasons for referral/principal issues for consideration

Division 3 of the Bill should be considered by the Economics References Committee to determine whether the proposed arrangements for the payment of fuel tax and receipt of associated credits could potentially create excessive compliance and cash flow problems for small to medium sized businesses.

The proposed measures require that the fuel tax be paid up-front and the credit received after the BAS is lodged. This can involve considerable delays.

The Committee should also consider the Fuel Tax (Consequential and Transitional Provisions) Bill to review the abolition of the Fuels Sales Grants Scheme. This scheme compensated motorists in rural and regional Australia for the impact of the GST. Any move to abolish this scheme may have significant effects on regional Australia. The Committee should inquire whether it is an appropriate time to abolish this scheme and whether the scheme operates effectively to support motorists in regional Australia.

Possible submissions or evidence from:
ACCI, Plastics and Chemical Industry Association, Printing Industries Association, ACCORD, Australian Paint Manufacturers Federation.

Committee to which bill is referred:
Economics Legislation Committee

Possible hearing date: 7 June 2006
Possible reporting date(s):

BUSINESS

Rearrangement

Senator ELLISON (Western Australia—Manager of Government Business in the Senate) (9.32 am)—I move:

That the following government business orders of the day be considered from 12.45 pm till not later than 2 pm today:

Social Security and Veterans’ Entitlements Legislation Amendment (One-off Payments to Increase Assistance for Older Australians and Carers and Other Measures) Bill 2006,

No. 5 General Insurance Supervisory Levy Imposition Amendment Bill 2006,

No. 6 Health and Other Services (Compensation) Amendment Bill 2006,

Question agreed to.

Rearrangement

Senator ELLISON (Western Australia—Manager of Government Business in the Senate) (9.33 am)—I move:

That the order of general business for consideration today be as follows:

(a) general business notice of motion no. 431 standing in the name of Senator Lundy relating to child care; and

(b) consideration of government documents.

Question agreed to.

Postponement

The following item of business was postponed:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, proposing the reference of a matter to the Employment, Workplace Relations and Education References Committee, postponed till 15 June 2006.

Rearrangement

Senator FERRIS (South Australia) (9.34 am)—by leave—At the request of the chair of the Economics Legislation Committee, Senator Brandis, I move:

That business of the Senate order of the day no. 2, relating to the presentation of the report of the Economics Legislation Committee on the provisions of the Petroleum Retail Legislation Repeal Bill 2005 be postponed to a later hour of the day.

Question agreed to.
Rearrangement

Senator FERRIS (South Australia) (9.34 am)—by leave—At the request of the chair of the Legal and Constitutional Legislation Committee, Senator Payne, I move:

That business of the Senate order of the day no. 1, relating to the presentation of the report of the Legal and Constitutional Legislation Committee on the provisions of the Law Enforcement Integrity Commissioner Bill 2006 and two related bills, be postponed to a later hour of the day.

Question agreed to.

COMMITTEES

Community Affairs References Committee Reference

Senator GEORGE CAMPBELL (New South Wales) (9.35 am)—At the request of Senators Moore, Allison and Ferris, I move:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by 19 October 2006:

Gynaecological cancer in Australia, and in particular the:

(a) level of Commonwealth and other funding for research addressing gynaecological cancers;
(b) extent, adequacy and funding for screening programs, treatment services, and for wider health support programs for women with gynaecological cancer;
(c) capability of existing health and medical services to meet the needs of Indigenous populations and other cultural backgrounds, and those living in remote regions;
(d) extent to which the medical community needs to be educated on the risk factors, symptoms and treatment of gynaecological cancers;
(e) extent to which women and the broader community require education of the risk factors, symptoms and treatment of gynaecological cancers; and
(f) extent to which experience and expertise in gynaecological cancer is appropriately represented on national health agencies, especially the recently established Cancer Australia.

Question agreed to.

Community Affairs References Committee Reference

Senator GEORGE CAMPBELL (New South Wales) (9.35 am)—At the request of Senator McLucas, I move:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by the last sitting week of 2006:

An examination of the funding and operation of the Commonwealth-State/Territory Disability Agreement (CSTDA), including:

(a) an examination of the intent and effect of the three CSTDAs to date;
(b) the appropriateness or otherwise of current Commonwealth/state/territory joint funding arrangements, including an analysis of levels of unmet needs and, in particular, the unmet need for accommodation services and support;
(c) an examination of the ageing/disability interface with respect to health, aged care and other services, including the problems of jurisdictional overlap and inefficiency; and
(d) an examination of alternative funding, jurisdiction and administrative arrangements, including relevant examples from overseas.

Question agreed to.

BUDGET

Consideration by Legislation Committees

Senator ELLISON (Western Australia—Minister for Justice and Customs) (9.36 am)—I ask that government business notice of motion No. 1 relating to the 2006-2007 budget estimates hearings be taken as formal.

The PRESIDENT—There is an objection. That will come up later in the program.
MR GRANT McLENNAN

Senator BARTLETT (Queensland) (9.36 am)—I, and also on behalf of Senator Stott Despoja, move:
That the Senate—
(a) notes:
(i) the loss suffered by the Australian music community and music lovers with the death on 6 May 2006, of Queensland born and bred songwriter and musician, Mr Grant McLennan,
(ii) the contribution made to music by Mr McLennan as a songwriter and performer over nearly three decades, which is highly respected and widely recognised as very influential,
(iii) that the song ‘Cattle and Cane’, written by Mr McLennan and performed by the Go-Betweens was named by the Australian Performing Rights Association as one of the ten greatest Australian songs, and
(iv) the significant inspiration that Mr McLennan and the Go-Betweens provided to musicians from Brisbane and beyond over many years; and
(b) conveys its sympathies to his mother, immediate family and past and present band members.

Question agreed to.

COMMITTEES

Environment, Communications, Information Technology and the Arts Legislation Committee
Reference

Senator ELLISON (Western Australia—Minister for Justice and Customs) (9.37 am)—I move:
That, upon their introduction in the House of Representatives, the provisions of the following bills be referred to the Environment, Communications, Information Technology and the Arts Legislation Committee for inquiry and report by 13 June 2006:
Do Not Call Register Bill 2006
Do Not Call Register (Consequential Amendments) Bill 2006.
Question agreed to.

Rural and Regional Affairs and Transport References Committee
Extension of Time

Senator SIEWERT (Western Australia) (9.38 am)—I move:
That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on its inquiry into Australia’s future oil supply be extended to 19 October 2006.

Question agreed to.

MR DAVID HICKS

Senator STOTT DESPOJA (South Australia) (9.38 am)—I move:
That the Senate—
(a) notes:
(i) the decision by the British Court of Appeal to reject any further appeals by the Home Office to block Mr David Hicks’ British citizenship application,
(ii) the repatriation of nine British citizens, previously detained at the military detention facility at Guantanamo Bay, by the British Government,
(iii) that Mr Hicks’ primary citizenship is Australian, and
(iv) that Mr Hicks has now been held at Guantanamo Bay for more than 4 years in contravention of his fundamental human rights; and
(b) calls on the Government to either repatriate Mr Hicks to Australia or to confirm that it will not discourage the repatriation of Mr Hicks to the United Kingdom if it enters into dialogue on the issue with either the United States of America or the United Kingdom.

Question negatived.

ASYLUM SEEKERS

Senator NETTLE (New South Wales) (9.39 am)—I move:

CHAMBER
That the Senate—
(a) notes that:
(i) the United Nations (UN) sponsored Act of Free Choice which sanctioned the Indonesian occupation of West Papua consisted of 1 022 West Papuans hand-picked by Indonesia and pressured to support integration, and
(ii) a recent Newspoll found that 77 per cent of Australians were in favour of the people of West Papua having 'the right to self determination, that is, the right to determine their own political future, including the option of independence'; and
(b) calls on the Government to make representations to the UN Secretary-General regarding the Act of Free Choice requesting that he establish an inquiry into the validity of the process.

Question put.
The Senate divided. [9.43 am]
(The President—Senator the Hon. Paul Calvert)

** | ** | ** |
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8 | 48 | 40

** AYES **
Allison, L.F. | Bartlett, A.J.J.
Brown, B.J. | Milne, C.
Murray, A.J.M. | Nettle, K.
Siewert, R. * | Stott Despoja, N.

** NOES **
Adams, J. | Barnett, G.
Bernardi, C. | Bishop, T.M.
Brandis, G.H. | Brown, C.L.
Calvert, P.H. | Campbell, G.
Carr, K.J. | Chapman, H.G.P.
Conroy, S.M. | Crossin, P.M.
Evans, C.V. | Faulkner, J.P.
Ferris, J.M. * | Fielding, S.
Fierravanti-Wells, C. | Fifield, M.P.
Forshaw, M.G. | Hogg, J.J.
Hurley, A. | Johnston, D.
Joyce, B. | Kirk, L.
Lightfoot, P.R. | Ludwig, J.W.

* denotes teller

Question negatived.

** COMMITTEES **

**Publications Committee**

**Report**

Senator WATSON (Tasmania) (9.48 am)—I present the 12th report of the Standing Committee on Publications.

Ordered that the report be adopted.

**BEACONSFIELD MINE**

Senator BARNETT (Tasmania) (9.48 am)—by leave—I drafted the following motion to record the sentiments of the Senate regarding the extraordinary survival of Beaconsfield miners Todd Russell and Brant Webb and their rescue by a community wholly dedicated to their survival. The motion also records our deep sympathy to the family of Larry Knight, who lost his life in the Anzac Day rock fall. The motion is co-sponsored by Labor Senator Helen Polley and, following a request late yesterday, we agreed for Senator Bob Brown to also be a sponsor. I, and also on behalf of Senator Polley and Senator Brown, move:

That the Senate—
(a) acknowledges the amazing courage and tenacity of Mr Todd Russell and Mr Brant Webb since the underground accident at the Beaconsfield Gold Mine on Anzac Day, 25 April 2006;
(b) applauds the actions and resilience of the rescue team during the 14 day ordeal when these men were entombed 925 me-
...tres underground, and specifically acknowledges the work of the emergency services, mine management, the Mayor Barry Easther and his council, the Australian Workers Union, Tasmanian Minerals Council Limited, the Beaconsfield churches, and numerous community groups and volunteers, and the spirit of the Beaconsfield community in conducting and assisting the delicate exercise resulting in their successful rescue;

(c) notes that the elation felt from this rescue feat is tempered by the death of Mr Larry Knight in the same accident, and pays tribute to his wife Jackie and family for deferring the funeral to afford priority for the rescue mission, and extends sincere condolences to Jackie and her family; and

(d) records that Australia, and the world, will long remember this tragic accident and amazing, successful rescue with admiration.

I am honoured to speak of the surge of the great Aussie spirit at Beaconsfield during not only last Tuesday’s successful rescue but the entire drama since Anzac Day—a tumultuous 14 days. This time has been an emotional roller-coaster like no other.

Tuesday, 9 May 2006 was a day of mixed emotions. It was a day when many Australians cried tears of joy for the rescued miners and tears of sorrow for the Knight family. It was a day when the nation and, indeed, the world honoured Larry Knight and his two surviving companions, Todd Russell and Brant Webb, and the courage and graciousness of Larry’s wife, Jackie, and family, who deferred his funeral to afford priority to the rescue of his mates.

I was at Beaconsfield many times in the past 14 days and was at the site at around 5 am on Tuesday. I felt privileged to witness the true Aussie spirit among the community and rescue teams. We have all watched in awe as the town has rallied round the families of its fallen and those who survived.

Tuesday morning was cold and breezy with some drizzle. Some people were in pyjamas and all of us were waiting in hope and expectancy. As Todd and Brant ripped their ID tags from the below-ground-tag board in triumph when they finally emerged from the mine shaft and their tomb below and then embraced their wives in tender bear hugs, a nation wept for joy. Was it humanly possible to watch this reunion with dry eyes? I think not.

This is why the day was a wonderful and joyful reminder of the innate spirit and mateship which made Gallipoli, on that first Anzac Day, in 1915, the Australian legend we cherish to this day. Who could believe that these men had been trapped almost a kilometre below the earth’s surface for 318 hours, in a 1.5- by 1.5- by 1.2-metre small cage with a large rock slab on top, in absolute darkness? They were cramped together in that tight space and, incredibly, for the first five days did not know if they were ever to be found or if the rock fall entombing them would tremor and strike again.

The disaster happened on Anzac Day when an earthquake measuring 2.2 on the Richter scale triggered a major rock fall 925 metres underground at the Beaconsfield mine, about 40 minutes by car north of Launceston, on the western side of the Tamar River. Reports said 19 miners escaped, but three failed to surface. On day 3, the community was devastated at the discovery of the body of Larry Knight, found by a remote-controlled vehicle. I must admit that, as an observer, like many others I held grave fears for Todd and Brant, but like others I hoped and prayed for a miracle of God. On Sunday, 30 April, with hopes fading and two days after we paused to remember the tragedy of Port Arthur 10 years earlier, the families of Todd Russell and Brant Webb, along with the rest of the Beaconsfield community and indeed the world, were both stunned and elated at news the pair had been located alive and...
apparently unharmed. This was a miracle unfolding.

Our spirits were uplifted and there was celebration in the streets of Beaconsfield, but locating and freeing the men were vastly different. Our excitement subsided and, for some, fear set in. Work finally began on the one-metre wide rescue tunnel to the two men. Even after 10 days, getting their footy tips in and joking with the rescuers, Todd and Brant implored their rescue team to take their time and do it safely. The rescuers cleverly drilled a small hole to deliver food and water. According to the Launceston Examiner newspaper, this was also the day the pair had their first hot meal since their ordeal began—chicken soup. The community believed the rescuers were getting closer to Todd and Brant and by late Saturday night or early Sunday morning they would be reached. I was there at the miners park with a host of locals waiting, hoping. But no. The rescuers encountered some of the hardest rock in the world. How much longer would it be? Our hearts were pounding. Some locals said to me, ‘I’m waiting here all night till they are out.’

At Sunday lunchtime on day 12, like a terrible and tragic omen, the nation lost one of its best-known journalists at the mine site, when Richard Carleton collapsed and died of a heart attack. I was there listening to his probing question to mine manager Matthew Gill not 10 metres away. Within a few moments, just a few metres away, Richard Carleton collapsed and died. Two days later, on Tuesday, 9 May, at 5.59 am, Todd Russell and Brant Webb emerged from the surface mine shaft to be greeted by their families, after an ordeal lasting two weeks. They broke the world record for the longest period entrapped underground in a mine disaster and they broke the mould in terms of human endurance. They proudly walked out of that mine, that tomb, into history.

I think those television images of Todd and Brant ripping their ID tags off the board at the mine’s surface entrance made us all realise the extent and complexity of what we had witnessed during 14 days of an emotional roller-coaster. It was then that we realised how fragile the success of the rescue was and how the trapped miners were never safe, from the time they were discovered alive until after they emerged from that shaft and were on the surface. That is why I want to record our passionate thanks to and admiration of so many people who played a part in this miracle.

I will not name all those who took part, but I will make a few exceptions. My personal tributes go to the West Tamar mayor, Barry Easther, whose leadership qualities shone bravely during the 14 days. He demonstrated leadership of his community, with a big heart, always hoping and praying, and he had the full support of his council. I acknowledge his deputy mayor, Max Burr, who is in the chamber today, for the support that he also gave. We thank the mine staff of the rescue command centre; workers and volunteers supporting the recovery centre; the various arms of the emergency services; mine management, ably led by manager Matthew Gill; the Australian Workers Union, led by Bill Shorten; the Tasmanian Minerals Council, led by Terry Long; local councillors; volunteers; and the many businesses which provided free amenities and produce, including for the throng of media. It seemed like there were hundreds of media people there, local, national and international.

I want to highlight the role of the local churches. They became like a lightning rod, a honey pot, for the local community. They were places for people to gather, talk, listen, be counselled and pray. On many of my visits, early in the day and late at night, I stopped at the Uniting Church in the centre of town. It was always open. The minister,
Frances Seen, was like a beacon for many. She demonstrated the love, compassion and care that were needed during this trial. On one of my visits to the recovery centre, I noted Frances Seen providing the centre with a huge pot of soup. The town was full of people like this—caring, supporting and loving in different ways. A book could be written about the untold acts of service and kindness, and maybe it should be. Reverend Chris Thiele of the Anglican Church helped organise the funeral of Larry Knight and was support for Jackie and the Knight family. Thank you, Chris.

I pay a special tribute to the rescue crews, who risked their lives at the scene amidst an unstable rock fall environment and worked incredibly long and arduous hours to get their mates out. We saw them daily—the big, burly unsung heroes, the gentle giants seen on television and silhouetted against floodlights. Each day we shared in their desperation, frustration and doggedness.

Beaconsfield on Anzac Day, 25 April 2006, was an obscure township of 1,500 on a small island off the coast of mainland Australia, and it emerged two weeks later as a household name across the world. I thank the state government and all their personnel involved for their support throughout. I commend the Prime Minister’s decision to hold a bipartisan reception at Parliament House to honour Todd and Brant and those involved in the rescue and commend his pledge to assist where possible in the future of Beaconsfield. Let no-one be in any doubt that, despite the gritty and heroic way this small community has behaved in the past two weeks, it has taken a huge knock economically, with the future of the goldmine now uncertain. The Beaconsfield goldmine has been the life-blood of the town. The state government has a responsibility to ensure a proper inquiry into the accident and mine safety. The mine’s safety must be addressed and, if proven safe, the mine should be reopened as soon as possible.

Interestingly, and finally, it was the Beaconsfield branch of the RSL for which I was able to obtain a lone pine as a gift this past Anzac Day. Mayor Barry Easther made the address that day and presented the pine on my behalf. I hope and pray the same Anzac spirit of courage, mateship and sacrifice can endure in all of us when we remember the Beaconsfield mine tragedy and what has been dubbed ‘the great escape’.

Senator POLLEY (Tasmania) (10.00 am)—I am extremely happy to rise to support this motion with my co-sponsors Senator Guy Barnett and Senator Bob Brown. I am a proud Tasmanian. People have often told me that they do not believe that much ever happens in Tasmania. It is true that we do enjoy the finer things without the hustle and bustle of the big cities, and we love our slower pace of life. But for the last two weeks the whole nation, and indeed the world, has held its breath since a seismic event in the town of Beaconsfield triggered a rock fall at the Beaconsfield goldmine and trapped three of our men. Since that day, we have been waiting for news and hoping and praying that those men would be returned safely to their families.

Unfortunately, two days after the rock fall we were told the sad news that rescuers had found the body of miner Larry Knight, who we now believe was killed instantly in the rock fall. It was the news that the whole town and all Tasmanians had dreaded. We all clung to the hope that the other two missing men, Brant Webb and Todd Russell, had somehow survived the rock fall. On Sunday, 1 May, while many Tasmanians were relaxing with their families, news bulletins brought the news that Brant and Todd had been located alive. In Beaconsfield, the families of the two men were joined in celebrat-
ing by locals and media alike. But there was still one big problem: how to get the men out.

Over the last two weeks, the small town of Beaconsfield has been the scene of a display of heroics as rescuers have put their own lives on the line to rescue the two men, who were not just two trapped miners but their mates. On Tuesday morning we saw what we had almost been too scared to hope for. At 6 am on Tuesday, Brant and Todd were brought to the surface—walking out of the mine as they had hoped to do—to the great relief and excitement of the whole country. While these two men had spent 14 nights with no company but each other’s, the whole country had been there with them in spirit.

Tuesday, as we all know, was a day of enormous contrasts. On the same day as there were celebrations for Brant and Todd’s freedom there was also the sadness of farewelling Larry Knight. I was humbled on Tuesday to have the opportunity to attend Mr Knight’s funeral in Launceston. I was witness to a beautiful tribute and goodbye to a loving husband, father and friend who will be missed dreadfully by everyone who knew him. I never had the opportunity to meet Mr Knight, but I know that his death has been felt deeply by the community and by Tasmania as a whole, and I am glad that I was able to have been part of what was a beautiful service. The fact that Todd Russell also attended the funeral and had the opportunity to say goodbye to his mate was no doubt an important step for him in dealing with the events of the last two weeks.

Every single person who was involved in the rescue effort to save these men must be congratulated. They ranged from the local miners who worked 12-hour shifts using the heaviest drills to get through rock that was five times stronger than concrete, to the explosive experts who used low-impact explosives to clear the rock that was standing between the rescuers and Brant and Todd. We should not overlook the support given to the miners’ families and community by the Beaconsfield churches, particularly Sister Francis McShane and Minister Francis Seen from the Uniting Church.

Thanks must also go to those teams from interstate that lent their help to the rescue operation as well as to all the ambulance crews, dieticians, psychologists and staff at the Launceston General Hospital who looked after the men from the time they were found alive until they discharged themselves from the hospital. Indeed, many of these people are still looking after Brant and Todd’s health now, and they will do so for the foreseeable future as they recover from their ordeal. The strength and determination Brant and Todd have demonstrated, firstly, in surviving the ordeal and, secondly, in walking from the mine and showing such physical strength are astounding—and we can only guess at what exactly they went through down there.

Since the rock fall more than two weeks ago, the people of Beaconsfield and Tasmania have pulled together. They have had to deal with the tragedy of Larry Knight’s death, the attention of the world’s media on their doorstep and the agony of not knowing. What they say about small towns really is true, and the same is also true of Tasmanians. Perhaps it has something to do with the colder climate, but when the going gets tough you know you can count on your friends, your neighbours and even total strangers to help. The Aussie spirit of mateship shone bright over Beaconsfield. We have seen that demonstrated on our televisions and in our newspapers every day since the rock fall on Anzac Day—and that will not stop when the media packs up and leaves when the next big news story comes along. Tasmanians will pull together to ensure that the town of Beaconsfield survives.
A testament to just how much Tasmanians care came on the first Sunday after the accident, even before Brant and Todd had been found alive. I went along to the St Kilda versus Fremantle game at York Park with some AWU members to ask for donations to the AWU Beaconsfield Miners Family Support Fund. The fact that the AWU would be there asking for donations had not been publicised, so no-one had any warning that we were going to be there. But that did not stop people digging deep to support the miners’ families, and in excess of $12,000 was raised on the day from the community alone.

Yesterday, Tasmanian Premier Paul Lennon confirmed the process that will take place to fully investigate the circumstances surrounding the incident. A coronial inquest will be undertaken by Coroner Peter Wilson, while a second investigation will be established by the state government using Tasmania’s workplace health and safety laws, following consultation with the Australian Workers Union and the Minerals Council of Australia. The government has also agreed to an independent investigation, which the Australian Workers Union has been pressing for, to ensure that workers have a voice on the factors which may have contributed to the accident.

Thanks must also go to the Australian Workers Union for the role it played throughout the rescue, and especially to National Secretary Bill Shorten, who was tireless in his work to keep the public informed of developments while also providing support to the families and the community, and to the Australian Workers Union branch secretary, Ian Wakefield, as well as to West Tamar Mayor, Barry Easter. I concur with Senator Barnett’s comments—the leadership that was demonstrated by Barry makes him a role model for the entire country. He did his community and Tasmania very proud. Thanks must also go to the Beaconsfield goldmine manager, Matthew Gill. I sincerely thank all of those involved. I am sure I am joined by all my colleagues here and in the other place in thanking those involved in the rescue to bring about this miracle.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.08 am)—I wholeheartedly support this motion, on behalf of the Australian Greens and my colleague from Tasmania Senator Milne. I congratulate Senator Barnett and Senator Polley on formulating the motion. What a remarkable story has unfolded in Beaconsfield in the last two weeks. Indeed, it has created world headlines. At the end, it has given a great deal of enjoyment to people who are in a world full of troubles. It has given inspiration that, when human beings get together, they can be stopped by nothing in coming to the rescue of fellow human beings in trouble.

There is a tragedy involved which heightens the enormity of the success, and that is that Larry Knight will not be there for his family into the future, and no contribution we can make will reverse that fact. Condo
clences go to his family, to all his associates and to everybody who is going to grieve that loss from the Beaconsfield community. On the other hand, Todd Russell and Brant Webb and their families and their associates are now out in the light of day, but in a very different world from the one from which they set off to undertake their job on Anzac Day.

I want to spend a moment on that. I am personally quite concerned about the glare of publicity that greeted these men when they came to the surface. They are in the beautiful community of Beaconsfield; they are in the beautiful community of Tasmania. It is undoubtedly one of the best places in the world to find yourself living with your family. But they are now in the glare of world publicity. I note reports that offers of millions of dollars
are being put in their direction. I note that Oprah Winfrey may even be looking for a story. One has to be concerned that it is this sequel to coming to the surface which has to be endured by these men and their families that may change things and take away from them more than it gives.

I urge the greatest of caution there, and I think we all have a role to play in that. You have to understand that the impact on these men will be ongoing. They were trapped for two weeks. Everybody did all they could and successfully got them out of that. They are now trapped in a different set of circumstances of a very deliberate construct. We have to be very concerned that these men and their families will survive that. I think we all have to think a lot about not leaving them to their own devices in those circumstances. A bit of counselling rather than somebody with a chequebook would be a very fair and giving thing for these men in these circumstances.

There are inquiries to come as to how this tragedy took place. They need to be meticulous and they need to have an eye to preventing such tragedies into the future. Mining around the world, from which we all benefit, is a very dangerous pursuit. Thousands of miners lose their lives each year. One can only think with horror of the miners who have been entombed underground and who have never been reached by rescuers. This is a dangerous pursuit, and anything that can come out of this tragedy that will help the safety of miners, not only in Tasmania and Australia but around the world, has to be applauded. So let us hope that the inquiries come up with answers that will make it safer for miners into the future—not just here but right around the world.

Again, I say congratulations. I endorse the congratulations to everybody who has been involved in this spectacular success in bringing these two men to the surface—not least, of course, the people of the community of Beaconsfield. I hope their lives settle down quickly. I hope their hopes and aspirations for the future are fulfilled. I have a word of congratulations and admiration to them for the way in which they have endured the last two weeks and have been able to celebrate these two men coming back to the surface.

Senator O’BRIEN (Tasmania) (10.13 am)—This tragedy is a chilling reminder of the danger of the mining industry, and it has brought it to the attention of not just the Australian public but people around the world. I was in the People’s Republic of China when the accident occurred and I followed much of the reporting on CNN and BBC television. Without a doubt it grabbed the attention of people around the world. At the same time, unfortunately, a mine disaster in China claimed the lives of 27 Chinese miners. Of course, China has a very poor record in relation to fatalities in their mining sector and there are some significant problems that they are trying to address.

I think that the magnificent success of the mine rescue operation in Tasmania told a tale about the desire that the Australian people have to try, as far as possible, to make true the maxim that when people go to work they should expect to return home at the end of the day. Unfortunately, Larry Knight’s family was unable to see him come home at the end of what turned out to be not a day but a long process to rescue Todd Russell and Brant Webb. That process of rescue, which was well documented in newspapers and in the electronic media not just in Australia but around the world, showed the ingenuity, concern and resources that the Australian community were prepared to put behind the rescue of two miners in a place that most Australians, let alone most people in the world, had never heard of: Beaconsfield, a place 20 kilometres from the place where I
live in the Tamar Valley in north-eastern Tasmania. It showed the resources, the hopes and the faith that the community were prepared to put behind what became one of the most important causes for the Australian nation—the rescue of Todd Russell and Brant Webb.

The effort that went into the rescue of Todd and Brant was not, in the minds of people, because they were more deserving than anyone else; we would all expect the same effort from our community were we to find ourselves in similar circumstances. Of course, most of us will never find ourselves in anything like those circumstances. The dangers of underground mining have been emphasised in our minds as a result of this tragedy, and I think that we have to appreciate all of the work that has been put in by miners and their representatives over the years to highlight the need for safety in the mining sector. Over the years there have been many lives lost in the mining sector and, unfortunately, that continues around the world.

It was an absolute privilege to be able to attend the celebration of the life of Larry Knight on Tuesday in Launceston at his funeral. It was magnificently attended and it was a very touching portrayal of the life of Larry and his family. The support of his community and his love of motorcycling and motorcycles were well depicted. We all would have seen the parade of motorcyclists on some very impressive motorcycles at the end of the funeral. I think most of the motorcyclists were Harley-Davidsons, but not all.

What better way for Larry to be supported to his final resting place than by a group of men and women riding the sorts of vehicles that Larry had taken such great pride in. It was a depiction of the enjoyment that Larry received during his life through his involvement in restoring and keeping motorcycles and motor vehicles in his newly constructed shed—although I understand that Larry was not a very good driver, from what was reported to us at the ceremony.

There are many people who are entitled to expect their efforts to be applauded. Mayor Easther and the mine manager made some telling contributions over time to keep the public informed, as did Mr Shorten, the federal secretary of the Australian Workers Union, who was given credit for keeping the public informed over a long period of time when comment was not coming from the mine. I think we will always remember that, and I do recall seeing Mr Shorten’s contribution when I was in China and thinking that he served the members of his union well by presenting himself so well in that context. I thank the Senate for the opportunity to speak on this matter.

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (10.19 am)—It is a privilege of public life that one is able to make a contribution to a motion before the Senate which is a celebration of human strength, human dignity and human fortitude. This is a celebration of community and mateship. As a result of the events of Anzac Day 2006, Beaconsfield—that small but picturesque township in the north of Tasmania—will never be the same again.

The commemoration of each Anzac Day is a bittersweet time to reflect and remember, and so too will be the reflections on the events in Beaconsfield on Anzac Day 2006: bitter that such a huge rock fall should occur; taking the life of miner Larry Knight, to whose family our collective condolences reach out; and sweet that, against the odds, two miners were spared, albeit trapped in unspeakable circumstances.

In our own lives, and in the life of the nation, it is often the bittersweet experiences that draw us together and remind us that the
things that unite us are so much stronger, more enduring and more important than the things that divide us but which we so often allow to consume us. In this place, the motion jointly sponsored by Senators Barnett and Polley bears testimony to that fact, and I thank them for their initiative. In Beaconsfield we also saw testimony to that fact, with union and management standing together to provide comfort to the bereaved and to secure an effective rescue for the survivors. We saw it also with the churches and community groups working together and, above all, we saw it with the fellow workers of the trapped miners who risked their lives to bring their mates to the surface.

On occasions like this, there are people who make that extra contribution, and I want to pay special tribute to the mayor, Barry Easther, who I think has shown all the qualities of leadership—strength, resolve and also compassion—and has been a beacon of unity within the community of Beaconsfield. I acknowledge Senator Watson, who was the first parliamentarian on the scene. I acknowledge Senator Barnett for his daily visits to the site, who also personally kept the Prime Minister informed of the unfolding events, day after day, at Beaconsfield. I also say thank you to Bill Shorten and Matthew Gill for the way they presented to the Australian nation with poise and dignity, and for keeping us informed in a way that we wanted to be.

An occasion such as this does make you stop and think about the important things in life. I give special acknowledgement to the role of the churches in the community there. It is heart warming to think that in times such as these the Australian community do still turn to their local churches for spiritual faith, for spiritual succour and comfort, in an acknowledgment that there might be a being greater than us. The fact that the Beaconsfield community reached back to its spiritual roots was, I think, part and parcel of the strength that the community received.

On behalf of all Tasmanians and all Australians, we wish the Beaconsfield community all the best for the road to recovery. Everything that has been done to date I think indicates that the local government, the state government and the Australian government will work hand in hand to ensure that the recovery process, irrespective of the future of the mine, will be for the benefit of all the citizens of Beaconsfield.

Senator SHERRY (Tasmania) (10.24 am)—It is with great pleasure that I arise to make a brief contribution to the bipartisan motion moved by my colleagues Senator Barnett and Senator Polley in respect of the Beaconsfield mine disaster. It was with mixed emotions on Tuesday morning that I watched on TV the recovery and emergence of survivors Todd Russell and Brant Webb from the Beaconsfield mine. I say mixed emotions because there was great happiness and joy to see those two miners, after their approximately 14 days of being trapped underground, emerge from the mine safe and well—amazingly safe and well, given the circumstances—but that was tempered by the memory that one miner had died. Larry Knight did not survive the disaster. Two survived, but unfortunately one died. So there were really mixed emotions.

It is on occasions such as these that I do think we see the great Australian spirit of mateship emerge. Over that two-week period we saw a great unity of strength. It was a unity of strength that gathered around the families of the trapped miners and the family of Larry Knight, who had died, and a unity of strength that gathered around the workforce—the incredible efforts that the workmates of the three miners put into recovering the body of Larry Knight and ensuring that Todd Russell and Brant Webb emerged from
the mine alive. It was an incredible effort. I have been into a number of underground mines, and it is a very tough work environment—a very hard, tough, usually hot and dangerous work environment. The effort that the workforce put into firstly locating and then freeing the trapped miners was just incredible. There was unity of strength from the union, the mine’s management and also the community. That was reflected in a number of ways that I can think of, such as the local school and the local churches. So it was a great coming together at a time of disaster. As I say, it reflects great mateship and the Australian spirit.

There are a number of individuals that I do want to mention publicly. The mayor, Mr Barry Easther, has been referred to by I think all the other senators who have spoken on this motion. The mayor of a local community reflects the local spirit and the feeling of a community. He is the elected representative. Mayor Easther, on this occasion, really did a fantastic job both in the media and in dealing with the myriad and very difficult emotional circumstances that arise across a community when such a disaster occurs. I also mention the mine manager, Mr Gill, the AWU National Secretary, Mr Bill Shorten, and the AWU Tasmanian secretary, Mr Wakefield. Mayor Easther, Mr Gill and Mr Shorten were very important in keeping not only the local community but also the Australian community, and ultimately the international community, informed in a very dignified way.

Mining is, unfortunately, inherently a more dangerous occupation than most. Thousands of miners die around the world every year. There are, I think, three inquiries of various descriptions to be held into this disaster, and I hope that what emerges is a safer environment for mine workers and that the lessons that can be learnt from this will minimise the difficulties that mine workers face.

Senator Watson (Tasmania) (10.29 am)—I rise to support this motion. Firstly, I would like to offer my deepest sympathies to the family and friends of the late Mr Larry Knight, who, as we all know, tragically lost his life in the Anzac Day disaster. Let us always remember that life can be so abruptly ended, indeed for all of us, but especially for those who work in the mining industry. This was a tragedy not only for the family of Larry Knight but for the wider West Tamar community. The goldmine, after all, was an integral part of the economy. The early closure of the mine will have a severe impact upon the lives of people all over the West Tamar region. But I remind the Senate that life is so much more important than gold.

I would also like to offer my heartfelt congratulations to Todd Russell, Brant Webb and their families and to express my sincere joy at the safe rescue of the pair. I give thanks to God and to the relentless and tireless efforts of the mine rescue team and their huge support base, both underground and above ground, for their safe return. It was certainly, I believe, an answer to prayer.

If there is ever a silver lining to this dark cloud it is that Australia and the world were shown an example of the very best of the human spirit. At a time of great stress and turmoil the local community bound together and supported not only each other but the hundreds of outsiders who came to cover this terrible disaster. The behaviour and the example of the Beaconsfield and the wider West Tamar community should be inspiration to us all. They displayed the very best characteristics of the Australian spirit: when they had every excuse not to do so they were gracious, they were humble, but they were, indeed, strong.

My hope is that we can continue to support the community as they recover from this event, which is seen as much as a miracle as...
a catastrophe, and that the good people of West Tamar will be able to reclaim something of the emotional and economic security that they once enjoyed. Once again I offer my condolences to the family and friends of Larry Knight and I offer them my prayers. I commend this motion to the Senate.

Senator CAROL BROWN (Tasmania) (10.32 am)—I too rise to give my support to the motion before the Senate. Tuesday was indeed a historic day for Tasmania and for Australia. As I said on Tuesday, it was a day of great joy and a day of tremendous sadness—joy for the safe return of the Beaconsfield miners, Todd Russell and Brant Webb, but our natural feelings of elation and happiness as they emerged from the mine were tempered by our sorrow as on that same day the family and friends of Mr Larry Knight said farewell. Our hearts, and indeed our condolences, go out to Jacqui Knight, her children and friends.

I, like most here, first heard by way of a news report of the rock fall on Anzac Day that trapped 17 men underground. Fourteen escaped but Todd Russell, Brant Webb and Larry Knight were reported missing and were trapped more than one kilometre underground. My hopes and wishes went out to the families, friends and the Beaconsfield community that those missing would be returned safely to us. Little did we know that this was the start of what was to become a long two-week journey of sadness, courage, frustration and, in the end, tremendous joy.

Sadly, two days after the rock fall, on Thursday, 27 April, Larry Knight’s body was recovered. This was devastating news for Larry’s family, his friends, the Tasmanian community and indeed the nation. While coping with their grief they, like everyone in Australia and around the world, continued to pray for the safe return of Todd and Brant, even to the extent of delaying Larry’s funeral—their farewell to their husband, father, brother and friend—until Tuesday.

On day 6 after the fall the town celebrated as the boys were found alive. Indeed, I remember that when I first heard the news I was actually too overcome with emotion to even put into words my feelings—words could not describe my joy. I tried to ring as many people as I could, as my joy was added to the joy of all in Tasmania. During that time we all believed, I think, that their rescue would be much quicker than it turned out to be. It turned out to be a frustrating nine more days for the trapped men to endure, and it would be hard for us to imagine what the miners experienced down there.

I would also like to support the comments of my colleagues who have put on record their thanks to the many involved. However, to the men, women and children of Beaconsfield, the town’s mayor and councillors, to the Australian Workers Union and the mine manager I say thank you for your compassion and your tolerance, and for bringing the boys home. Be sure that you are in our thoughts as you have been for these past two weeks.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.36 am)—I rise also to speak briefly on behalf of the Australian Democrats to the motion with respect to the accident at the Beaconsfield goldmine in Tasmania. I would like to begin by giving our condolences to the family and friends of Mr Larry Knight, who tragically died as a result of the tremor at that mine, and to say that this is a reminder of the dangers of mining, particularly underground mining, and the need for stringent safety measures.

I would also like to pass on my condolences to the family and friends of Richard Carleton, the much respected Channel 9 journalist who also died tragically whilst covering the Beaconsfield mine accident. He
died doing what he loved best. He was a re-
spected reporter and he will be very much
missed in this place.

The events at the Beaconsfield mine cap-
tured the hearts and minds of all Austra-
lians—but not just Australians. People from
around the world, I understand, followed this
event. We all joined the miners’ families in
hoping, day after day as this dragged out,
that they would be brought back from their
cage a kilometre underground. It was a dra-
matic and no doubt frightening time for their
families.

We also acknowledge the great courage
and the spirit of Todd Russell and Brant
Webb. In some ways, they appeared to
epitomise the Australian characteristic of
being able to shine through adversity with
great humility and often humour. We also
applaud the action and the resilience of the
community, which rallied around the fami-
lies and friends of those involved in the res-
cue and provided great support and courage.
The image of people wrapped up against the
Tasmanian cold in the middle of the night,
waiting and watching and just being there as
a presence, was truly moving.

The rescue team and the emergency ser-
dices deserve special mention for their tenac-
ity and tireless work and we applaud them
for that. When faced with potential tragedy,
Australians have shown again and again that
they come through and that they never give
up. For that reason we all owe those workers
a debt of gratitude for their efforts. I com-
 mend this motion.

Senator COLBECK (Tasmania—
Parliamentary Secretary to the Minister for
Finance and Administration) (10.39 am)—I
too would like to add my comments on the
extraordinary events at Beaconsfield over the
last couple of weeks, which essentially al-
most took over the lives of that community
and the state of Tasmania during that period.

I firstly express, along with others in this
place, my sincerest condolences to the family
and the friends of Larry Knight, who, tragici-
cally, did not survive this terrible incident.
Quite bravely, they delayed the funeral of
Larry so that there might have been some
possibility of his mates attending as well.

I recognise the impact of this event on the
community and also some of the community
leaders who played a very important part in
representing their community throughout the
sometimes traumatic two weeks. I pay par-
ticular tribute to the Mayor of West Tamar,
Barry Easther, who at all times held a de-
meanour that can make not only him proud
of the way that he conducted himself but also
his community. He did a fantastic job in very
difficult circumstances, as did the mine man-
ger, Matthew Gill. Mr Gill was under enor-
mous pressure and maintained his focus for
the whole time on the rescue of the workers,
particularly on the safe rescue of Brant and
Todd after they were discovered to be alive.
That was something that I know was focused
on through that time, but also that these were
a couple of guys who were also his mates. I
think that has in the circumstances passed
through some of the events—that these guys
were also his mates.

I also pay tribute to the work of the un-
ions, who quite obviously have a strong fel-
lowship and relationship in the mining indus-
try. That was reflected by the work of the
rescue workers, whether they were those
from Beaconsfield mine itself or those from
the broader mining community across the
country who turned up to add to the effort. I
think that demonstrates the camaraderie in
the mining community, particularly between
mining workers, who quite often work in
different mines across the country. They un-
derstand what it is all about. They know
what it is like to be underground working,
and they understand the circumstances that
their mates might have been in. That, I imag-
ine, was one of the things that drove them to
continue to work on driving this process
forward. I also pay tribute to the paramedics
and all of those who were involved.

Finally, I do not think I can put into words
the feeling of elation I had as I woke up on
Tuesday morning, when my alarm went off
at about five to six, to hear that the guys
were just coming out of the ground. To flick
the TV on to see them actually walking out
was something that for me was essentially
beyond words. I wish Todd, Brant and their
families all the very best of fortune. There is
a lot of speculation about what might be
coming their way, but I do not think any of
us can imagine what they went through down
there. Perhaps we might learn a little bit
more as the story starts to unfold. But they
deserve every piece of good fortune that
comes their way.

Senator PARRY (Tasmania) (10.43
am)—I rise and join with my fellow senators
in acknowledging the Beaconsfield mine
disaster. I have listened to the speeches this
morning, and one cannot help but be moved
by each senator’s sentiment and genuine
feelings for this particular issue. Anzac Day
is a great day for remembering sacrifice—
and what a sacrifice people have gone
through to rescue Todd and Brant and in the
death of Larry Knight. Tasmania held its
breath for a number of days, waiting for
news of life in the one-kilometre-deep shaft,
and it was a joyous occasion when we found
that two were alive.

Also during that week, as Tasmania held
its breath during that particular time, we
paused to remember another great tragedy.
That was the 10th anniversary of the massa-
cre at Port Arthur. Tasmanians are certainly
not strangers to things that fall upon our
community in times of tragedy and disaster.
One of the best things about Tasmanians—
and I am sure it happens in other communi-
ties around Australia but, as a Tasmanian, I
am very proud of the fact—is that we are
resilient and we certainly bounce back. I
know that the community at Beaconsfield,
over a period of time, will do that, with a
great deal of support from many, many peo-
ple.

The volunteer efforts from so many de-
serve commending. I am not going to go
through all those people again, because pre-
vious speakers have. I will just add my voice
of appreciation to everyone in that commu-
nity. I would like to thank the rescue workers
in particular but also the entire community,
from anyone providing sustenance and com-
fort to those in need and rallying as a com-
munity to those providing the skills and ex-
pertise that go beyond what many of us can
even comprehend in rescuing two fellow
workers underground. Finally, I would like to
express my appreciation for and pay tribute
to the family of the late Mr Larry Knight. As
a funeral director, I have certainly stood with
families and understood the anguish of de-
laying a service. To delay a service by that
length of time is extremely anguishing and
causes other problems within families. I
really appreciate and understand that. I
commend them for doing that, because I
know the benefits for all were certainly re-
ceived.

The PRESIDENT (10.45 am)—In con-
cluding the debate on the jointly sponsored
motion, I would like to say a few words, not
as the President of the Senate but as a senator
for Tasmania. This last fortnight since Anzac
Day, I have been reminded of other chal-
lenges my state has faced: the devastation of
the 1967 bushfires; the Tasman Bridge disas-
ter; and, as Senator Parry just said, the awful
reality of the Port Arthur massacre, which
has just had its 10th anniversary. These
things came to mind as the time stretched
from hours to days and from one day to the
next while those three young Tasmanian
miners were trapped one kilometre below the earth. The community of Beaconsfield rallied, just as I expected they would. Notwithstanding the media glare and the extraordinary nature of the ordeal, the memorable images for me were the fortitude of the three families and the enormous courage of the Knight family, having learned of the death of Larry.

Senator Allison alluded to the fact that this disaster gained international prominence. I happened to be representing Australia at an executive meeting of the Commonwealth Parliamentary Association on the Isle of Man. I can assure you that it was headline news on every television channel and in every newspaper. It made me feel very proud to see the images of the people of Beaconsfield and how well they were standing up and being part of the community.

I would like to pay a special tribute to everyone in the historic and beautiful town of Beaconsfield and, in particular, to honour the courage and steely determination of the team of rescuers. What marvellous Australians they are. In particular, as others have done today, I would like to single out the dignified community leadership of Councilor Barry Easther, the Mayor of West Tamar; the resolute determination of Mr Matthew Gill, the Beaconsfield mine manager; and those representatives of the unions who so ably supported their mates. They had to overcome a seemingly endless series of hurdles. As a mark of respect to the late Mr Larry Knight and to signify senators’ agreement to the motion, I ask honourable senators to stand for a moment in silence.

Honourable senators then stood in their places.

PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006
DEFENCE HOUSING AUTHORITY AMENDMENT BILL 2006
First Reading
Bills received from the House of Representatives.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.48 am)—I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall be moving a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

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

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006
The Protection of the Sea (Powers of Intervention) Amendment Bill 2006 amends the Protection of the Sea (Powers of Intervention) Act 1981 (the Intervention Act). This is the Australian legislation giving effect to the provisions of the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (the Intervention Convention). The Intervention Act enables the Australian Government to intervene in the event of any threat of
pollution from a ship in Australian waters or on the high seas.

The proposed amendments demonstrate the Government’s proactive approach to ensuring that we have policies and frameworks to support safe shipping practices which are sensitive to our pristine environment. The overall standard of shipping in Australian waters is steadily improving and, thankfully, significant incidents are rare and becoming less frequent. Australia to date has avoided a major pollution problem.

Nevertheless, we need to be mindful that there is always the risk of an event occurring, and overseas examples show that even a single incident can have major harmful consequences. While international compensation regimes for damages are generally highly effective, on occasions the cost of responding to a major incident can exceed the available liability and compensation limits. Governments and affected citizens may have to bear the costs of a major incident which may be hundreds of millions of dollars.

It is clear that governments need proper powers of intervention to prevent, mitigate or eliminate the dangers of a major pollution incident. Without these powers we may not be able take effective actions to counter such a threat, especially when a co-ordinated response involving many different players is required.

While the Intervention Act currently provides the Australian Maritime Safety Authority (AMSA) with wide general powers, the Australian Transport Council (ATC), involving Ministers from the Australian, State and Northern Territory governments, agreed in November 2005 to a national approach to maritime emergency response, that recognised the need to strengthen the Intervention Act to enable an effective and co-ordinated response in a maritime situation involving a serious threat of pollution.

The amendments proposed in this bill will clarify the scope of the Government’s powers, updating and clarifying the provisions of the Intervention Act to address matters that have arisen since its enactment some twenty five years ago.

The most important clarification is in relation to AMSA’s powers of intervention in our exclusive economic zone (EEZ), coastal seas, and on the ‘high seas’. The contemporary concepts in relation to maritime zones were introduced by the United Nations Convention on the Law of the Sea (1982), after the Act was enacted in 1981.

This bill will update the Act to the current international approach, separately identifying the EEZ and enabling earlier intervention within it to prevent a casualty from becoming a major pollution threat.

The bill implements the ATC agreement on emergency response arrangements for AMSA to be the single national decision-maker with responsibility for intervention in incidents involving threats of significant pollution, covering all ship types in all waters. It also clarifies AMSA’s powers of direction to persons whose cooperation would be vital to preventing and mitigating pollution.

The bill proposes legal immunity for all persons acting under the direction of AMSA, while ensuring consistency with the international conventions. The bill also provides for compensation on just terms for any requisition of property by the Authority and sets new penalty levels to deter a person from breaching a direction issued in the national interest.

The measures in the bill have no budgetary implications.

DEFENCE HOUSING AUTHORITY AMENDMENT BILL 2006

This bill makes various amendments to the Defence Housing Authority Act 1987 including the creation of a smaller, more commercially focused board and the establishment of an advisory committee. The amendments reinforce the Government’s ongoing commitment to the provision of high quality housing to our Defence Force personnel and their families. The Commonwealth will also benefit from the DHA being given the capacity to provide services to other Commonwealth agencies, and to provide ancillary services to both Defence and other Commonwealth agencies. The Commonwealth will be able to achieve best value for money outcomes by utilising the DHA’s expertise in housing provision. The increase in the DHA’s capacity will also underpin its long term viability as a Government Business Enterprise.
The amendments in the bill are consistent with the Australian Government’s response to the recommendations of an inter-departmental review into the governance arrangements and legislative framework of the DHA. This review took account of the recommendations outlined in the Review of the Corporate Governance of Statutory Authorities and Office Holders by Mr John Uhrig, AC.

Turning now to the specific amendments, I will outline the key changes in the bill.

Firstly, the bill introduces a change of name for the authority to Defence Housing Australia. This change better reflects the DHA’s commerciality and establishes a brand name that is readily recognised with the activities of DHA throughout Australia. An appropriate brand name is important to the ongoing commercial success of the DHA.

Secondly, the bill reorientates the structure of the board by reducing its size and creating an advisory committee. These changes reflect a more commercial arrangement which also takes into account the better practice guidance on board size contained in the Uhrig review. The DHA board will now have a more commercial focus and greater freedom to operate commercially. Given the importance of housing to Defence’s operational effectiveness, Defence representation on the board will be retained although reduced from five to two. The Secretary of Defence and the Chief of the Defence Force will each nominate a representative to serve on the Board. These nominees will be approved by the Minister for Defence. A nominee of the Secretary of the Department of Finance and Administration, who is approved by the Minister for Finance and Administration, will be added to the Board to enhance its commercial focus.

In line with recommendations of the Uhrig Review, representatives from each of Navy, Army, Air Force and Defence Families Australia will be appointed to the advisory committee. This committee will now be the primary vehicle for the representations of Defence and Defence families to the DHA Board. The committee will assist and support the board in its primary role as the provider of housing to meet the operational requirements of Defence.

Thirdly, the bill also makes provision for the DHA, subject to Ministerial approval, to expand its operations to provide housing and housing-related services to other Commonwealth agencies. This amendment, in particular, will promote the efficient use of the DHA’s housing stock and maximise the benefit to the Commonwealth from the DHA’s expertise in the provision of housing and housing-related services. The DHA will have greater scope in its operations which will assist the DHA to achieve its outcomes as a Government Business Enterprise.

For these additional services to other agencies, a volume limit has been set, which is a percentage of the DHA’s total revenue. Initially, revenue from expanded services cannot equate to more than 25% of the DHA’s total revenue. A review of the revenue limit will occur in three years to evaluate the suitability, or otherwise, of this limit. The requirement for Ministerial approval and the volume limit are designed to safeguard the interests of Defence.

Fourthly, this bill also allows the DHA, subject to Ministerial approval, to provide services that are ancillary to the housing and housing-related services it provides. Ancillary services could include, but would not be limited to, services associated with the care and control of residential premises and services to facilitate the access to community support or community services. The Minister will be required to approve the ancillary services that DHA can provide to ensure they are appropriate and in the best interests of Defence and the Commonwealth.

The fifth key amendment will make the DHA liable for Commonwealth taxation, from which it was previously exempt. The DHA will remain exempt from State and Territory taxation but will be required to make tax-equivalent payments in respect of State and Territory taxation to the Commonwealth.

Finally, there are a number of amendments proposed in this bill that will improve the harmonisation of the DHA Act with the Commonwealth Authorities and Companies Act 1997 , under which DHA also operates. These amendments are necessary to remove outdated provisions from the DHA Act. The Government’s expectations of the DHA will have greater clarity as a result of these
amendments. The commercial focus of the DHA’s legislative framework will be strengthened and the DHA’s governance arrangements will now be more closely aligned with that of other Government Business Enterprises.

All of the amendments proposed in this bill herald the beginning of an exciting new phase for the Defence Housing Authority.

Debate (on motion by Senator Ellison) adjourned.

Ordered that the resumption of the debate be made an order of the day for a later hour.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

SOCIAL SECURITY AND VETERANS’ ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS TO INCREASE ASSISTANCE FOR OLDER AUSTRALIANS AND CARERS AND OTHER MEASURES) BILL 2006

First Reading

Bill received from the House of Representatives.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.50 am)—I move:

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

Question agreed to.

Bill read a first time.

BUSINESS

Consideration of Legislation

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.50 am)—by leave—I move:

That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to this bill.

I table a statement of reasons justifying the need for this 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

The bill provides for 2006 one-off payments to older Australians and carers. Recipients of certain carer income support on Budget night 2006 will be paid a $1,000 one-off payment. Recipients of carer allowance on that date will receive a $600 one-off payment for each of their eligible care receivers. Furthermore, a payment of $102.80 will be paid to people who are, on that night, of age pension age or veterans’ pension age and receiving certain types of income support, and self-funded retirees qualified for the seniors concession allowance.

Reasons for Urgency

The one-off payments are generally to be paid in June 2006.

(Circulated by authority of the Minister for Families, Community Services and Indigenous Affairs)

Question agreed to.

SOCIAL SECURITY AND VETERANS’ ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS TO INCREASE ASSISTANCE FOR OLDER AUSTRALIANS AND CARERS AND OTHER MEASURES) BILL 2006

Second Reading

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.51 am)—I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

The measures in this bill are a further demonstration of the Government’s appreciation and acknowledgement of the contribution older Australians and carers have made, and continue to make, to our society.

As with past bonus payments, these new payments will be paid in the majority of cases before the end of the financial year and are possible because of the Government’s careful economic
management, which has delivered this capacity to give extra support to these members of the Australian community.

The first bonus payment provided by this bill will go to older Australians. The 2006 one-off payment will be equal to the annual rate of utilities allowance, which is an existing entitlement to help older income support customers to pay regular household bills such as gas and electricity, and currently set at $102.80. This one-off payment will be made to people of age pension age, or veterans’ qualifying age, who are receiving on 9 May 2006 a social security or veterans’ entitlements income support payment. Recipients at that date of mature age allowance, partner allowance or widow allowance will also attract the one-off payment.

The one-off payment of $102.80 will be shared between two members of a couple living together, if they are both qualified for it. Otherwise, the whole payment will go to every qualified person in his or her own right. No household with at least one qualified person will get less than $102.80.

Older Australians not actually receiving the stipulated payment on Budget night will still get the bonus if they had claimed it by that date and subsequently have their payment backdated to cover that date.

Self-funded retirees will not miss out on the bonus payment—they will receive $102.80 per person if they are, on that same date, qualified or eligible for seniors concession allowance.

Carers are the second group targeted by this bill for bonus payments.

Carers receiving carer income support on 9 May 2006 in the form of a social security carer payment or carer service pension under the Veterans’ Entitlements Act will be paid a $1,000 one-off payment. Carers who receive the non-means tested social security income supplement known as carer allowance in addition to either wife pension or a partner service pension under the Veterans’ Entitlements Act will also be paid a $1,000 one-off payment. Any carer receiving carer allowance will be paid a separate $600 one-off payment for each eligible care receiver. Carers who have claimed the targeted payments on or shortly before 9 May 2006 and are subsequently granted with effect from 9 May 2006 or earlier will receive the payments.

Carers whose children qualify for a carer allowance health care card only will not be eligible for bonus payments of $600. Carers who claim carer allowance after 9 May 2006 and whose payment is backdated due to the application of the carer allowance backdating provisions will not be eligible for the bonus payment, even though the backdated period will have included payment for 9 May 2006.

Neither of the special one-off payments provided by this bill will be subject to income tax, nor will either count as income for social security, veterans’ entitlements or family assistance purposes.

Debate (on motion by Senator Ellison) adjourned.

Ordered that the resumption of the debate be made an order of the day for a later hour.

NOTICES

Postponement

Senator BARTLETT (Queensland) (10.52 am)—To maximise the opportunity for a clearer understanding all round about the outcome of this motion, I seek leave to move a motion to postpone business of the Senate notice of motion No. 2 until the next day of sitting.

Leave granted.

Senator BARTLETT—I move:

That business of the Senate notice of motion no. 2 standing in my name for today, proposing the reference of matters to the Legal and Constitutional References Committee, be postponed till the next day of sitting.

Question agreed to.

Rearrangement

Senator BARTLETT (Queensland) (10.53 am)—As part of trying to clarify what was happening with the previous motion, I was not able to get a clear message about what was meant to happen with Senator Murray’s motion. I understand there is a need to move an amendment to this motion.
Senator Ferris—Has it been amended?

Senator BARTLETT—It has not. I will be seeking to move the amendment once I know what the amendment is meant to be.

Senator Ferris—Perhaps you should seek leave to postpone the motion to a later hour.

Senator BARTLETT—by leave—At the request of Senator Murray, I move:

That business of the Senate notice of motion no. 5 standing in the name of Senator Murray for today, proposing the reference of bills to the Economics Legislation Committee, be postponed till a later hour.

Question agreed to.

BUDGET

Consideration by Legislation Committees

Senator ELLISON (Western Australia—Minister for Justice and Customs) (10.54 am)—I move:

(1) That the 2006-07 Budget estimates hearings by legislation committees be scheduled as follows:

   Monday, 22 May to Thursday, 25 May (Group A)
   Monday, 29 May to Thursday, 1 June (Group B).

(2) 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.

Senator LUDWIG (Queensland) (10.54 am)—It is clear that the Labor Party does not agree with this motion. This motion seeks to remove the spillover days from budget estimates. That might be regarded as a technical term, but let me reduce it to what it in fact is. It is a diminution of the ability of this Senate to scrutinise budget estimates and this government during that time. This motion takes away the opportunity to have spillover days—that is, two Fridays in the fortnight—which we use to question this government and to keep this government accountable to its commitment to the budget and other matters more generally. This says to the opposition, to minor parties and to the Senate more generally, ‘We’re going to remove the ability for you to continue to use Fridays to scrutinise and keep this government to its promises and to keep it accountable for its actions.’

The argument that is going to be run by the government is that the spillover day is not used very much—but that is precisely the reason that the spillover day is necessary. Committees that have met through the week—say, on the Monday, Tuesday, Wednesday or Thursday—and have not completed their task in that time can utilise the spillover day, the Friday, as a safety valve to keep this government accountable. In other words, these committees can use those spillover days to scrutinise the machinery of government. That ensures that the four days can be used effectively and, where necessary, the fifth day can be used by those committees. It allows the committees to use Friday not as an ordinary day as part of the budget estimates week but as a spillover. In other words, the Friday can be used as additional day if the work of the committee has not been completed and so any additional matters can be dealt with.

What is more astonishing is that this government is sending the message that it does
not even trust its own committees. The committees are chaired by government senators and are in majority control by coalition senators. Therefore, this motion is a double whammy. It not only says, ‘We’re going to take away your ability to use the Friday as a spillover, as a safety valve, to allow scrutiny,’ but also says, ‘We don’t trust our own committee chairs, dominated by coalition senators, to be able to control the committee or to use the spillover, or the extra day, wisely.’ This motion is corralling its own coalition senators and saying, ‘We don’t think you are capable of making that decision so, rather, we will make that decision for you, as a government that dominates and uses its Senate numbers to whack the Senate.’ This motion says that we cannot have what we have had for many years now—that is, the safety valve of the spillover day.

If you go back through the records to 1995-96, the statistics show that the Fridays have not been abused. So the argument cannot be run by this government that there has been abuse of the Friday or that the Senate committees have run wild and need to be corralled or its own coalition senators need to be reined in. If you look at the statistics, you see that Fridays have been used for what they were intended to be used for—that is, as a safety valve to deal with matters that were not finalised during the week. They have not been used as a 9 am to 11 pm slot. They have generally been used for matters that were not completed in the estimates week. When you go through the list you see that the Fridays have been used by various committees through the years. For example, in 2001-02 the Senate Foreign Affairs, Defence and Trade Legislation Committee dealing with the maritime incident—more generally known as ‘kids overboard’—used the Friday because the committee’s work was not completed and they required the additional day, the Friday, to finalise their scrutiny of the budget week and to finalise the estimates process that was required.

The foreign affairs, defence and trade committee’s hearings spilled over on the Friday in 2004-05 to look at Abu Ghraib. It is another good example of where the foreign affairs, defence and trade committee required additional time to look at a particular issue. They used the Friday to allow the scrutiny of the committee to continue and for their work to be finalised. Put simply, a committee will sit during the week. It might deal with a very difficult issues such as Abu Ghraib through the week and not complete its scrutiny. Therefore the Friday is used to finalise its work—and not fully. Generally speaking, it is completed on the Friday when those matters have been dealt with and the committee is finalised. SIEVX, in 2001-2002, as I indicated earlier, occurred in the same fashion.

Again, if you look at the Rau matter—the immigration debacle—this government did not want to allow a spill-over day. The Legal and Constitutional Legislation Committee in 2005-06 spilled over onto the Friday with the Cornelia Rau matter. Why? Because on the Cornelia Rau issue it took up a significant amount of time to get to the bottom of what had happened. As we know, the government had a lot to answer for. The Friday was again used to allow the ordinary work of the committee to be finalised, as well as to allow any return to that substantive issue. If that was not enough, the following year legal and constitutional had the Solon and Alvarez issue and the Friday was again used.

We have a government that says: ‘In terms of spill-overs, the committee will have time through the week to deal with issues as they may arise. But if it wants ordinary scrutiny, if it wants to continue looking at those matters which are important and need scrutiny’—and clearly they need scrutiny—‘then we won’t allow the spill-over day to be used
at all because we’re going to remove it. We’re not going to have the additional day at all.’

The government’s clear message to not only this chamber but the Australian people is: ‘We want to continue to have a situation where we can control the Senate to such an extent that we can close down scrutiny, not allow scrutiny, because we’re going to remove the ability for that committee to do its ordinary work, to complete it and to use the spill-over days as needed.’ As needed—that is the point that the government seem to have missed in this whole debate. As I have said, the chair of the committee might decide that the work has not been finalised and to use the spill-over day.

We will have an additional problem that this government has avoided: the spill-over day has been an important mechanism not only to ensure that those issues are scrutinised but also to ensure that the debate about additional time for committees does not come back in here as a notice of motion to allow the committee to sit on a Thursday night, a Wednesday night or another night when parliament is sitting or another day through the year. That is what will happen. Where spill-over days are removed from this process, committees will then seek additional days and argue for that time, if it is not a matter that is arrived at or agreed to by the committee—and much of it is, quite frankly. So it is not only going to be confined to the committee arguing about it. If the committee says, ‘No, you have had your time,’ then there will be notices of motion moved in the Senate seeking additional time for committees to debate the issue that is at large because the spill-over day was not available to be used.

Another problem will be created by the government’s arrogance because the committees that have been unable to use the spill-over day to finalise a matter, to look into a matter, to complete a matter or to ensure that there has been proper scrutiny of a coalition or a government bungle will come in here and move a notice of motion. We will argue why a committee should not have additional time to deal with it. The government will be faced with the problem of arguing against it. Given that it has already said no to a spill-over day, it will be in a worse position trying to convince the Australian population, let alone the Senate, why it should not accede to further scrutiny of this issue because it has taken away the ability of a committee to look at matters.

The government is becoming so arrogant that it has ignored the real debate that will occur down the track. It will have to shut that debate down. It will have to say, ‘No, we don’t want you to look into that particular issue,’ and it will have to justify why it will not want the committee to look into a particular issue at another time, whereas the short answer is: the spill-over day could have been used for that. Again, all this government has done is highlight its arrogance by trying to shut down scrutiny and reduce the effectiveness of the committee process to do its ordinary work of scrutinising the government.

You will have committees unable to discharge their functions. You will have arguments about unreasonable or insufficient time being given for important issues. You will have committees asking for extensions of time. The committee chairs, I suspect, will be coming back to the government and saying: ‘We didn’t get the work completed. We want additional time. You’ll have to find time for that as well.’ You will have senators on those committees coming into this chamber and moving motions asking for additional time. Rather than sensibly allowing a process of spill-over days, the government has opened Pandora’s box, effectively, and
will not be able to argue that there is the safety valve of a spill-over day to be used. It beggars belief that the government has fallen for this, but perhaps it thought that it could arrogantly deal with this by simply removing the spill-over day and saying, ‘We’re going to close down scrutiny.’ It really does beggar belief.

The wider issue, of course, is that that is what the government is in fact doing. This is another nail in the coffin for the ability of the Senate to scrutinise the government’s work. When former Senator Hill was the Leader of the Opposition in the Senate, he recognised that the Senate plays a very important role in scrutinising the government. I looked for a statement from Senator Minchin, but perhaps he has not been the leader long enough to be able to echo those phrases here. It is completely unseemly that this government will not allow itself to be scrutinised by the Senate. It seems to be another nail in the coffin, as I have said, with this government wanting to abuse the Senate process and gain absolute power.

Let us examine the range of things that the government has already done. It has knocked back the ability to have a censure motion. It has curtailed question time. The Telstra bill, the Work Choices bill, the Welfare to Work bill and the voluntary student union bill are just some of the bills that the government exempted from the cut-off, meaning they were subject to less scrutiny. The government gagged the Telstra debate and guillotined it. That was the Howard government imposing the guillotine on a debate concerning about $30 billion of taxpayer assets in five bills. The gag was used three times in that debate. In the Telstra inquiry, the government allowed only one day of hearings. Because of the arrogance of this government, it sought to ensure that the speakers list for debate on the Telstra bill would be curtailed. It also denied committee references to allow scrutiny into more general areas. Back on 11 October, the debate on the variation of routine of business and sitting hours was gagged twice by Minister Ellison.

This issue of no spill-over days came up this year, and the government has moved the motion today. The government gagged the Work Choices inquiry. In that debate, if senators proposed amendments to the reference of the Work Choices inquiry, they were stopped. When you start to add up the abuses in this place, you see that the government has managed to accumulate many abuses in a very short space of time. This is simply one more we will catalogue of where the government has said: ‘This government does not want to be scrutinised. This government does not want or allow scrutiny into its affairs.’ The antiterrorism bill and the welfare bill were guillotined and the debate was gagged on 5 December last year. Senator Abetz’s attack on the Clerk was one step too far. Similarly, Senator McGauran’s finger was one step too far.

If this government thinks we are going to let those abuses slide, it should think very carefully about the abuses I have listed. I will be raising them, as I have said in the past, every time I come here to ensure that this government recognises its abuses in this place and what it has been doing to take away the ability of the opposition and the minor parties to scrutinise this legislation, these bills and, of course, the budget and our ability to keep this government accountable. This government has also ensured that there will be less time available to debate bills.

These outrages of this government continue, and not having the spill-over days is just one more example of the removal of the ability to scrutinise. This government should take this as a wake-up call and allow the spill-over days for the purpose for which
they were intended—that is, as a safety valve for committees to do their work.

**Senator BARTLETT** (Queensland) (11.13 am)—The Democrats share the concern about the unprecedented attempt, through this motion, to further restrict the ability of Senate committees, and in this case Senate estimates committees, to do what is widely recognised as one of their most fundamental jobs—to scrutinise the actions of the government of the day and of government departments. It is another example of the quite calculated endeavour by this government to slowly strangle any semblance of accountability and genuine meaning behind the word ‘democracy’. It gives the lie once again of the Prime Minister’s pledge and promise that he would not misuse the Senate majority that the electorate gave him so narrowly at the last election.

Let us not forget that it is less than one year since this government has had control of the Senate. Senator Ludwig outlined quite a long litany—not a full litany, I might say—of examples where this government has clearly prevented scrutiny and acted quite arrogantly and dismissively in the most blase and contemptible manner imaginable in order to just do what it wants, to ignore any alternative view and to blithely sweep aside many attempts to scrutinise or even question the actions of the government, statements of the government, legislation from the government or activities of government departments.

We have seen a few examples of the sort of absolute mess, mayhem and chaos that can occur when a lack of accountability and a culture of contempt and arrogance for due process develop. We have seen it with the immigration department over a number of years, where things got so bad that eventually the government had to acknowledge that there was a massive culture problem within that department, whilst somehow or other managing to suggest that none of that culture problem was the responsibility of the government itself, that somehow or other it all developed completely independently of ministers, government policy or legislation.

Apart from the cost of that being an enormous injustice for a significant number of people—the personal cost and the individual cost—there is also the financial cost. For those who follow an approach that sadly seems to be a little more commonplace these days, which is, ‘What’s in it for me?’ or ‘What does it cost me? If it doesn’t affect me, well, that’s nothing to do with me,’ and if they want to make it all about them and all about money, the fact is that poor management costs enormous amounts of money. Bad administrative practice costs enormous amounts of money. We have seen that with the immigration department—not just with the flagrant waste on unnecessary aspects of the policy but also with the hundreds of millions of dollars that now have to be pumped into that department to try and fix up the intrinsic problems that the government now acknowledges exist.

Unfortunately, as has been quite clear in recent times, that problem does not exist in isolation in the immigration department. We have seen it fundamentally in departments like foreign affairs and we are seeing it writ large with the AWB scandal. The big problem with the AWB scandal, leaving aside the specifics of the outrageous breaches that have been involved, is what it represents about the culture across a wide range of departments. That really is the problem. It is not an isolated example. The specifics would be isolated, but the general commonplace culture and attitude that led to that are widespread; indeed, one would suggest endemic.

We have seen people such as former secretaries of the Department of Defence write openly about the appalling administrative
practices and the deliberately shoddy and misleading approach from government ministers that have been common practice for many years.

Somehow or other that does not seem to ring sufficient alarm bells with some that report about things in this place. Some who report on this place seem happy to say, ‘That doesn’t bother the average punter in the street.’ I do not know if it does or not, but it certainly should bother us because that is our job. The people put the Senate here in particular to examine what the government does. To simply take away two days out of the 10 that are normally available for the major scrutiny period of the budget, the budget measures and the budget estimates is clearly a flagrant and deliberate attempt to cut off scrutiny. It is also a reflection on the ability of the chairs of those committees, who are all government senators, to adequately manage the business before their committees and the process of questioning at the estimates committees.

As Senator Ludwig has pointed out, this is not a process that has been abused. Having spill-over days on Fridays has not been abused and taken up on every single possible occasion up to the last possible minute. It has clearly only been used where there has been a genuine necessity by specific committees. The suggestion that it is not necessary is clearly false because it has always been used. The suggestion that it has been abused or misused is also clearly false because the record shows that that is not the case.

The other aspect that has to be put alongside this is the growing practice on the part of the government to simply refuse to answer questions put at Senate estimates and in other areas. At the last estimate committee hearings we had the unprecedented and laughable excuse that questions regarding the AWB matter could not be answered in any way, shape or form—any type of question to any government body—because there was a royal commission under way. That was completely unprecedented and completely unjustifiable and untenable; nonetheless, the government insisted on it. These were the first estimates committees after the government had control of the Senate, so it was no surprise that they tried that stunt for the first time in such an extreme way. It is the sort of action that would never have been possible had the government not had that rigid control of the Senate. The Senate has had other mechanisms to require questions to be answered and to require information to be produced, but now we do not have those because of the government majority.

We have seen other smaller examples perhaps where particular officers have simply refused to answer a question and, despite Senate standing orders, refused to give any indication why they would not answer a question. We have seen refusal to provide documents to some Senate estimates committees where they have been requested or where questions have been on notice in regard to them. You have to wonder what areas will be quarantined from exploration at these upcoming estimates. I would be willing to bet a lot that there might be some sudden excuse given as to why there has to be a blanket ban on any questions regarding Private Kovco and what happened in that regard. I am sure that they will use some excuse that there is a coronial inquiry or some other inquiry under way and they cannot possibly answer anything about that because that would prejudice the inquiry. I have no doubt that we will have those sorts of things put forward. Basically, the fact that there is any inquiry under way anywhere will now be used as an excuse by this government to prevent any sort of accountability or scrutiny of the actions of ministers or their officials.
We are getting a larger and larger pile of these sorts of examples and the consequences are very serious. People should not wait until it is about an issue that specifically affects them personally. The deliberate, systematic dismantling of the fabric of democracy going on under this government, piece by piece, is a matter that concerns everybody personally. That is what is happening here. This is only one small part of that, but it is nonetheless a clear-cut part of it. We in this place all know the clear-cut change that has happened since the government has had that power to ignore all opposition.

Another impact of this is that, while it will curtail questions from Labor Party senators, Democrats senators and others, it also will give the government much more ability to curtail awkward questioning from their own side. There is the occasional time when government senators pursue lines of questioning that ministers in the government wish they would not. The removal of the safety valve of the spill-over days on Fridays will make it much easier for the government to say that there is not time to pursue a particular matter. They will be able to put that pressure on to silence awkward questioning in that area. So there is a wider impact than just the attempt to prevent scrutiny from opposition parties. It also is yet another mechanism for the control—a control that is already well past the strength of a straitjacket—of any government senators that are potentially going to do something that might displease or cause discomfort to the government.

We have also seen—and Senator Ludwig might have referred to this—a huge number of rejections of proposals for Senate references committee inquiries by this government. I am not suggesting every single one put forward had merit—I think I might have voted against one or two of them myself—but the simple fact is that, going by any statistical reading over recent years, there has been a massive leap in rejections of proposed references of matters to be examined by Senate committees. That is just the ones that have been put before the chamber. I can speak from personal experience that we have not bothered to move others because we know they would not be supported. So, in effect, the number of proposed inquiries that have been rejected is actually much higher. Undoubtedly, a number of them that would have got up in the past have been in areas which would have caused embarrassment for the government but nonetheless would have enabled needed information to get out in the public arena.

So we have less opportunity to pursue matters through the normal process of Senate references committees because they are being continually restricted and slowly reduced to the ridiculous situation where we have at least two, if not three, references committees at the moment which have no business before them at all and have had no business before them for some period of time, certainly for this year. That reflects particularly badly on the Senate as a whole. It might not be the fault of us on this side of the Senate that that situation has occurred, but the reality is that it does reflect badly on the whole institution of the Senate.

That probably does not concern the government. Generally I do not think that making the parliament come into disrepute bothers the government at all, because they do not see the parliament as having any value at all. Clearly, the way the government operates is to completely dismiss the parliament as having any significant relevance other than as some sort of ceremonial stage or as an opportunity for posturing now and then. But, in terms of the parliament’s proper constitutional role—its key role as the balance in the separation of powers—it is quite clear from the government’s actions that they just do not see the parliament as having a value.
Indeed, I have heard the Prime Minister talk a number of times about the great institutions that make up our democracy but he has not mentioned the parliament. He talks about the executive, or the government, the courts and the media, as though the media has the other role of scrutiny rather than the parliament. I have heard the media talk that way themselves, and perhaps there is some reality to it, but as far as I know they are not written into the Constitution as being one of the key arms of our system of governance, beyond the implied right to freedom of speech, which of course I strongly support.

So it is a serious problem. It is much wider than just the inability to hold a hearing on a few days. When you combine it with the reduction in the ability of Senate committees to examine specific areas through precise references, it means that, in more and more areas, the only place to pursue those matters is in Senate estimates, because other avenues are being blocked. On top of that, of course, we have had a record low number of sitting days in the Senate this year and last year. We have the absurd situation that today is just the 14th day the Senate has sat this year, even though we are into May. We have sat just 14 days this year and, after today, we will not sit again until the middle of June. By the time we get to the second week of August, we will have had 22 sitting days for the first seven months and one week of the year.

That is a disgrace. That again reflects badly on the Senate and the parliament and is another indication of a reduction in the number of opportunities that senators have to pursue particular issues. It means that, more and more, we are channelled into only being able to use estimates—and then what do we find? The number of days made available for estimates is being reduced. On top of that, the number of instances where specific areas and lines of questioning are being refused is also increasing. It is a very insidious pattern, but it is a very consistent and very dangerous pattern. I suggest that the public needs to wake up to it before it is too late.

People often talk about the price of liberty being eternal vigilance and about the fragility of democracy and the fact that, if you do not continue to fight to protect its institutions, then before you know it it can be gone and it is pretty hard work to get it back again. That might sound overly dramatic, but I do not believe it is, when you put together all the different things that are happening in this country. This is only one small part of it, but it is a part of it and it is a serious matter. It is a deliberate, calculated attempt to reduce the opportunities for the parliament, and through the parliament the public, to scrutinise the actions of the government and its departments at a time when the general level of competence, honesty and integrity in many of the activities of governments is being questioned to a greater degree than ever before.

It is a very serious matter and it reflects a very serious stage in the history of our democracy. I seriously suggest that, unless we can find a way to put a halt to this continual chipping away at these mechanisms for proper checks and balances and scrutiny of the activities of the government of the day, then we really will be starting to live in a democracy in name only. That is not only a great sadness but a serious danger.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (11.29 am)—I think it is worth while putting this in context and getting a sense of reality about the scrutiny of the government in the Senate. Much has been said about it today. Senators Ludwig and Bartlett have said very strongly that this government is all about taking away that scrutiny, and that is totally incorrect. When you look at the Senate’s sitting days this year and you add to that the number of
estimates days, you see that 25 per cent of the Senate’s time is devoted to scrutiny of the government through estimates hearings, where there are questions of the government from 9 in the morning until 11 at night. When you look at the total sittings of this Senate and you include the estimates, because estimates are a form of the Senate’s sitting, you see that 25 per cent of that total time is dedicated to scrutiny of the government and its actions. I think you would be battling to find a similar situation in any other parliament in the free world.

Estimates are a very important part of the political process in this country. They are essential for the scrutiny of the government and for a legitimate opposition to carry out its role. We have three estimates sessions a year. We have estimates after the budget in May, additional estimates in February and supplementary budget estimates in November. So the opposition has three opportunities throughout the year to question the government. Looking at the total number of days that are available, the largest estimates sitting is that which occurs after the budget, and that covers a period of two sitting weeks. We have eight committees and they have four days each. Effectively, there are 32 hearing days to question the government on the budget.

What we have said here is that, instead of having the four spillover days, 32 days is adequate for the scrutiny that should be carried out. The additional days in the past have not been entirely taken up in number and in time. As well as that, we agreed in 2003 to extend the time for estimates in November. I repeat that—we agreed to a request to extend the time of the November supplementary budget estimates. We previously had eight committees sitting for one day with the option of four of them being able to sit for another four days. That gave in total 12 days. We changed that. We now have a situation where eight committees can sit for two days, which equals 16 days. So in those November sittings we now have four extra days in addition to what we previously had.

If I were in opposition, I would certainly aim for a situation whereby I had the ability to question the government over a period of 12 months and to extend the period of time that I could question the government on each occasion, rather than having all that time being concentrated after the budget. We are approaching this in a more even manner by having the February, May and November estimates spread more evenly in time. That does not detract from the ability of the opposition to hold the government accountable. In fact, this is a much more efficient manner of conducting estimates.

The 32 days in total for the opposition to question the government on the budget provide more than adequate opportunity for scrutiny. Taking into account that we have allowed an extra four days in November, the total number of estimates days remains the same as it previously was. When you look at the total sitting time of this Senate combined with estimates, you see that 25 per cent—I repeat, 25 per cent—of its total sitting time is devoted to questioning the government. That does not take into account an hour’s question time each day. That system gives more than adequate opportunity to hold the government of the day accountable. It is a situation which is unequalled in the free world. I would suggest that there is no other country that has that level of scrutiny and accountability in its parliament.

We certainly believe the process is important. We have said that time and time again. When I was in opposition, I saw the importance of estimates hearings. We do not detract in any way from the role of estimates in the processes of the government and the parliament in this country. However, I would
say that, strictly speaking, estimates are for questions on expenditure. Over time that has become a rule more honoured in the breach than in the observance. We now have wide-ranging questions on issues of the day which are of an entirely broad nature, the least of which is the relevance to the expenditure in the budget and additional estimates.

To say that we are cutting back or restricting accountability is totally wrong. It is incorrect. I think people should look at those statistics in the context of the whole and see just how much accountability and scrutiny there is in our system, and so there should be. For the opposition and the Democrats to say that this government is raping and pillaging our democracy is entirely over the top and a total distortion. This measure is a continuation of the process we have always had. With it, we will have the same total number of days that we had previously. So I reject the comments of the opposition.

Senator Ludwig talks about a restricted question time. I remind those listening that the previous government had a Prime Minister who did not even roll up for question time. He rolled up when he felt like it. We have a Prime Minister who is there at every question time for the total time. The previous Prime Minister did not attend every question time. He rolled up when he felt like it. That was the height of arrogance and a mark of total disrespect by that person in relation to the parliament. You could not get anything worse than that.

Question agreed to.

COMMITTEES
Economics Legislation Committee
Reference
Senator MURRAY (Western Australia) (11.37 am)—by leave—I move the motion as amended:

That, upon their introduction in either House, the provisions of the following bills be referred to the Economics Legislation Committee for inquiry and report by 9 June 2006:
- Customs Amendment (Fuel Tax Reform and Other Measures) Bill 2006
- Customs Tariff Amendment (Fuel Tax Reform and Other Measures) Bill 2006
- Excise Laws Amendment (Fuel Tax Reform and Other Measures) Bill 2006
- Excise Tariff Amendment (Fuel Tax Reform and Other Measures) Bill 2006,

and that the committee limit its consideration of the bills to reviewing the alcohol taxation measure contained in the bills with respect to their likely consumer, social and economic effects and their effect on industry.

Senator LUDWIG (Queensland) (11.38 am)—I will be brief. I just want to make the point that I think this is the first time that the reference for a legislation committee has been confined in this way since this government has taken office. It is often the case that references to legislation committees are confined. They are usually confined by agreement. In this instance the opposition would have preferred a much wider inquiry into the legislation. I am happy to be corrected if I am not right about this but, as I understand it, if the opposition does not agree to this motion—and clearly we do not have the numbers in any event—then this is the only opportunity we are going to get for a legislation committee to examine these bills.

The government has acquiesced to Senator Murray’s amendment. As I understand it, there would not have been a legislation inquiry otherwise. If that is not right then the government can say that they will allow a legislation committee inquiry irrespectively. But the position, as I understand it, is that there would not have been a legislation committee inquiry at all if not for Senator Murray’s amendment which confines it to a certain area. So this government would not
have permitted a legislation committee inquiry. Certainly this matter did not go through the Selection of Bills Committee in the ordinary way. It has had to come back into this parliament to be dealt with. I did not want to let the point go that the opposition does not agree that the Selection of Bills Committee should not have the ability to refer legislation for proper inquiry.

When a bill has already been to a legislation committee, it is acceptable if it comes back and is confined. Sometimes it is the case that there has been extensive examination through a reference or some other method. But in this instance there was a white paper, and this is the first time these bills have come into this parliament as legislation. Therefore, the government has only agreed to an inquiry on the basis of the confines put by Senator Murray’s amendment. It has not agreed to allow a wider range of debate on the legislation itself. What that means is that those issues that legislation committees sometimes pick up—poor drafting, inability to cover all the matters, obscure phrases which should have been picked up and the policy not being expressed correctly in the legislation or more broadly across all of the legislation—are now not going to be dealt with. Those issues will be confined by the amendment of Senator Murray.

I know that is not Senator Murray’s fault. I am not seeking to hold him to account for that. Without Senator Murray’s amendment there would not even be a legislation committee looking into those important issues he has mentioned. This government would have struck it out and said, ‘No, there won’t be a legislation committee inquiry,’ and that would have been the first time. I suspect the government is warming up to that. I suspect the government is warming up to saying that we will not have a legislation committee inquiry into a particular bill, but it has not gone that step thus far. I want to put on record that when that happens there will be a much longer debate.

Question agree to.

CIVIL AVIATION LEGISLATION AMENDMENT (MUTUAL RECOGNITION WITH NEW ZEALAND) BILL 2005 [2006]

Second Reading

Debate resumed from 10 May, on motion by Senator Patterson:

That this bill be now read a second time.

Senator STERLE (Western Australia) (11.42 am)—I rise to speak to the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005 [2006]. Labor opposes this bill. This bill was referred to the Senate Rural and Regional Affairs and Transport Legislation Committee. The committee received a number of submissions. One submission was from the Civil Aviation Safety Authority of New Zealand. They had the audacity to tell the committee that mutual recognition would lead to harmonisation of safety standards. The Department of Transport and Regional Services submission totally repudiated the New Zealand regulator’s view.

This bill will undermine Australia’s proud aviation safety records and standards. I wish to refer to the flight attendant passenger ratios. Currently in Australia the ratio is one flight attendant for 36 actual passengers. The New Zealand standard is one flight attendant for 50 seats. For the life of me I do not understand how that could improve or harmonise Australia’s safety standards in aviation. I am totally baffled. I do not know what could have been going through the government senators’ minds when these submissions were being put to the committee. I do not know whether or not they plan on being around long enough to keep flying when this
bill comes into force, but we will find out in
the next round of preselections.

Having been a TWU organiser and an or-
ganiser in the aviation industry with Qantas,
Skippers Aviation and the former airline An-
sett, I know that you could not get a bunch of
to well trained people. There is no question of
how well trained these flight attendants, pi-
lots and so on are—not only in passenger
safety but flight safety. It is a shame that this
bill will undermine that.

The New Zealand regulator talks about
harmonisation, and I want to home in on the
word ‘harmonisation’. This harmonisation
will see Australian standards lowered; there
is no argument about that. It will, without
any doubt, see Australian jobs disappear off-
shore. This harmonisation prohibits sky mar-
shals on aircraft operating under a New Zea-
land air operators certificate. We know how
how the Howard government could not wait to
seize every opportunity to espouse their pro-
fessionalism in Australia’s security. That is a
huge undermining of our safety.

I am afraid that some airlines may ma-
nipulate the new rules by servicing Aus-
tralian domestic routes while operating under
New Zealand regulations with lower cost
borders. Labor and Australian Democrats
senators recommend that the bill be opposed
in the absence of a comparative assessment
of safety standards, a full regulatory analysis
of the two systems, and a detailed analysis of
the cost and the benefits of the proposed re-

gime.

When you combine this bill with the
Howard government’s Work Choices legisla-
tion, we have a recipe to gut the standards of
Australia’s aviation industry. Australia’s air
safety standards are not a commodity that is
for sale—and should not be, under any cir-
cumstances. Labor opposes this bill. If any
senator in this place has any concern about
air safety and about maintaining our stan-
dards in this country, they should follow the
Australian Labor Party and the Australian
Democrats and oppose this bill.

Senator SANDY MACDONALD (New
South Wales—Parliamentary Secretary to the
Minister for Defence) (11.46 am)—The Civil
Aviation Legislation Amendment (Mutual
Recognition with New Zealand) Bill 2005
[2006] amends the Civil Aviation Act 1988
in order to implement the mutual recognition
of aviation related certification between Aus-
tralia and New Zealand. This bill takes into
account the 2004 recommendations of the
majority report of the Senate Rural and Re-
gional Affairs and Transport Legislation
Committee.

Mutual recognition is restricted to air op-
erators certificates issued by the Australian
Civil Aviation Safety Authority and the Civil
Aviation Authority of New Zealand. Through
regulation, mutual recognition will be lim-
ited to aircraft of more than 30 seats or a
maximum take-off weight of greater than
15,000 kilograms. Air operators certificates
issued under the mutual recognition scheme
will be known as AOCs with ANZA—
Australian and New Zealand Aviation—
privileges.

The mutual recognition initiative is a ma-
jor step forward in the trans-Tasman aviation
market. It marks a historic development in
the aviation relationship and is consistent
with commitments between the Australian
and New Zealand governments. Mutual rec-
ognition will provide administrative savings
to airlines, and these savings may be passed
on to passengers. Most importantly, there
will be no effect on the safety of aircraft op-
erations in either Australia or New Zealand
by its introduction.

Question agreed to.

Bill read a second time.
In Committee
Bill—by leave—taken as a whole.
Bill agreed to.
Bill reported without amendment; report adopted.

Third Reading
Senator SANDY MACDONALD (New South Wales—Parliamentary Secretary to the Minister for Defence) (11.49 am)—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION AMENDMENT BILL 2005 [2006]
Second Reading
Debate resumed from 12 October 2005, on motion by Senator Patterson.
That this bill be now read a second time.

Senator CARR (Victoria) (11.50 am)—The Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005 [2006] relates to heritage protection. It seeks to amend the existing act to provide greater certainty to international cultural loan arrangements by ensuring that declarations made under the act cannot act to prevent the return of objects imported temporarily to Australia with a certificate of exemption under the Protection of Movable Cultural Heritage Act 1986.

The second element goes to the issue of repeal of part IIA and other provisions in the act that apply only to places in Victoria to enable the Victorian government to administer Aboriginal heritage protection in Victoria directly through its own legislation. The third element brings the act into line with the Legislative Instruments Act 2003 by making amendments to clarify which class of instruments contained in the act are non-exempt legislative instruments for the purposes of the Legislative Instruments Act 2003.

Having said that, I think that this bill provides an opportunity to evaluate the government’s performance with regard to Indigenous heritage. I must say that Labor is extremely disappointed with this bill, not so much because of what it does but because of the failure of this government to respond to the opportunities that this legislation presents.

Labor supports moves to give greater certainty to international cultural loan arrangements and believes that the Victorian government should administer its own Aboriginal heritage protection regime. However, Labor is concerned that this bill reflects the broader problem of this government’s complacency on environmental and heritage protection issues: the Commonwealth government only takes an interest in matters where it sees there is political advantage to be gained. The development of the bill also reflects the government’s attitude to consultation with Indigenous Australians, which I think we can now say confidently has been neglected at every turn.

On 20 August 2003, former senator Robert Hill made a statement to the Senate which highlighted the government’s views on these questions. He said:
We gave undertakings a couple of days ago that the—Aboriginal and Torres Strait Islander Heritage Protection Bill—would be brought to the Senate as quickly as possible. The minister has since reaffirmed to me that negotiations and consultations are continuing to take place … We recognise the shortcomings in the existing system. Reform of that is long overdue … We are anxious to have a new and better piece of legislation put in place as quickly as possible.
Yet three years after that statement was made on a question of urgency, no ‘new and better piece of legislation’ has actually emerged. In fact, there is no evidence that there was any consultation taking place with Indigenous communities at the time Senator Hill made those statements, and we have seen no evidence that the government has consulted Indigenous communities on the broader program contained within this legislation.

Indeed, just over a year ago I was contacted by a constituent, a Yorta Yorta man, who had been very surprised to hear that Dr Sharman Stone MP, who is now of course Minister for Workforce Participation, indicated on ABC local radio that the government was planning to change this act once it had control of the Senate after 1 July last year. My constituent was surprised to hear this because, although he was a very active member of his community, especially with regard to heritage issues, he had not heard about the government’s proposed changes and his community had not been consulted. So in Victoria it is quite apparent that the community was not directly involved in the preparation of this legislation.

The point here is not what effect the bill will have. I have every faith that the Bracks Labor government will administer Indigenous heritage protection properly. I am, however, concerned that the Howard government appears to have developed this particular bill in secret, knowing full well that it will be able to use its Senate majority to pass this legislation, no matter how inadequate its proposals are. So, while we are not opposing this bill, I would like to indicate that I believe this bill to be grossly inadequate.

The minority report of the Senate Environment, Communications, Information Technology and the Arts Legislation Committee inquiry stated that the bill continues to ignore many of the substantive recommendations of the 1996 Evatt inquiry into this act, such as: respecting customary restrictions of information, including gender-restricted information; protection from disclosure contrary to customary law restrictions, including guidelines on the kind of information courts can seek and exemptions from freedom of information laws; guaranteed access rights to sites of recognised significance for those recognised as being allowed to do so under customary law; minimum standards for state and territory cultural heritage laws, including automatic blanket protection for sites clearly falling within these standards; the establishment of an Aboriginal cultural heritage agency and of Indigenous cultural heritage bodies controlled by Aboriginal members representative of Aboriginal communities with responsibility for site evaluation and administration; and, finally, protection of all aspects of Indigenous heritage, including intellectual property. None of these issues have been dealt with by this legislation.

So Labor calls on the government to fulfil its previous commitment to consult with Aboriginal and Torres Strait Islander communities on the broad range of amendments to the act, including addressing the recommendations that were contained in the 1996 Evatt report. It is clear that the Commonwealth has responsibility for these issues, but the Howard government has made its attitude to Indigenous heritage protection abundantly clear. That is, the government is essentially indifferent—it could not care less. The legislation committee minority report on this bill found:

… the Howard Government has failed to meet its obligations to protect and conserve Indigenous heritage and has drastically reduced its engagement in Indigenous heritage issues.

It said that the government has been reluctant to actually use the Aboriginal and Torres Strait Islander Heritage Protection Act—under which only one declaration has been
made since 1996—and has instead limited its involvement in Indigenous heritage issues to the administration of the heritage provisions in the Environment Protection and Biodiversity Conservation Act 1999. This is despite the fact that the Aboriginal and Torres Strait Islander Heritage Protection Act has a far greater capacity to protect Indigenous heritage than the EPBC Act.

Under the environment protection and biodiversity act places considered to be of national significance can be listed on the National Heritage List. However, the way the Howard government has administered these provisions means that a place of significance to a particular Indigenous community is not eligible to be listed unless it can be established that it is also a matter of significance to the broader Australian community. What that means is that there are many sites of extreme importance to Indigenous communities which are ineligible for listing on the National Heritage List. And, of course, we know that those sites that are eligible will be subject to the political whims of the minister and, as far as I can see—the overwhelming evidence suggests that this is the case—to the incompetent management of the National Heritage List.

Under this incompetent regime only one of Australia’s 16 magnificent World Heritage sites has actually made it onto the National Heritage List so far. The listing process, as I think was predicted by Labor, has become highly politicised. The minister, Senator Ian Campbell, has consistently been unwilling to list places that are politically contentious. This is a very, very important question when it comes to these matters of cultural heritage. If we are only going to list things that every single person agrees upon then very little will, in fact, be listed in this country. This was clearly demonstrated by the fiasco surrounding the use of Victoria’s Alpine National Park for cattle grazing.

Specifically in relation to Indigenous heritage sites, the sagas of Wave Hill and the Aboriginal tent embassy provide pertinent examples of the way in which the government has essentially neglected these questions and has made these issues subject to its own view of political advantage. In July 2004 Minister Campbell said that the Wave Hill walk-off site would be given priority consideration for listing on the National Heritage List. Since then the minister has not said another word about the listing of Wave Hill. This is despite the fact that we saw, I think it was just last year, the 30th anniversary of the famous hand-back of land to the Gurindji people by Gough Whitlam.

If you want a site of national significance in terms of land rights, surely Wave Hill would meet that criterion. In terms of political and cultural significance surely that site would meet all reasonable criteria. But what you have is a political decision made by the government to not act on this because it finds it to be symbolically embarrassing. It is a symbol it does not want to face up to because it goes to those fundamental questions about the rights of Indigenous people. There are some issues that this government wants to turn its back on. It does not want to address these matters because its version of the cultural wars is prosecuted to the exclusion of those who disagree with it, and this is one very good example.

Will the 40th anniversary of the actual walk-off itself, which is coming up on 22 August this year, come and go without any acknowledgment by the government? From what we have seen to date, I would have to suggest that that is exactly what will happen because there are some things in our history that this government does not want to engage with, does not want to talk about. Minister Campbell has recently refused to list the Aboriginal tent embassy on the Commonwealth Heritage List—which is designed to
include places of cultural significance located on Commonwealth land—on the basis that the listing itself would be divisive. This decision was made despite the fact that the Australian Heritage Council has found that the embassy meets the listing criteria.

These are matters of national significance and the government ought to encourage public debate about what it is that we are doing as a country, what we have done and what we are as a people. Whatever you think of the tent embassy itself, there can be no doubt about its historical significance, not only in relation to Indigenous land rights but also to the development of Australian democracy and the capacity of Indigenous people to participate within the political culture. And, of course, the infamous case of the orange-bellied parrot debacle shows just how relaxed and comfortable the minister now is with making environmental and heritage protection decisions that are motivated by politics rather than based on any empirical evidence.

So what we have then is an issue in the context of the particular detail of the bill and those two recommendations of the legislation committee which just have not been covered. The first recommendation of the minority report was that enabling legislation to provide certainty for international loans for Indigenous Australian artefacts should be accompanied by a clear policy on the investigation and repatriation of objects of cultural significance that have been removed from Australia without the consent of their custodians.

This is an extremely important matter given our somewhat sorry history in regard to the expropriation of cultural artefacts by imperial policy and by a whole series of others that essentially stole the cultural artefacts of Indigenous people. I think it should be noted that Labor supports these moves to provide a greater lending certainty to overseas museums and collections which will enable artefacts to be brought to Australia for exhibition, and I do think there needs to be some security about these things given that these questions are so often controversial. However, we need to consider that the government should also take a stronger role in pursuing the return from overseas of artefacts of great cultural significance that were taken without consent. We are yet to see any clear policy from the government on those matters.

The second recommendation of the minority report relates to exempting heritage protection declarations from the 10-year sunset clause. I understand the Greens will be moving an amendment to give effect to this recommendation and Labor will be supporting that amendment.

In conclusion, Labor is extremely disappointed at the failure of this government to address these very important issues. It has missed yet again an opportunity, through this legislation, to face up to our national responsibilities on these questions. Some three years after the commitment made by Senator Hill that the government would bring forward a new and better piece of legislation, Indigenous Australians will be left waiting. They will be left waiting as a result of this government’s indifference to these matters. Three years after Senator Hill said that consultations were to take place, Indigenous communities, yet again, are still waiting.

Labor will support the bill, but it is grossly inadequate. We acknowledge—and this parliament ought to acknowledge—that the critical issues of Indigenous heritage have not been faced up to by this parliament under the control of this government. There needs to be some meaningful action to improve what is in international terms an appalling situation.
Senator BARTLETT (Queensland) (12.08 pm)—The Democrats likewise support the Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005 [2006] but recognise that it is grossly inadequate to meet what is required to ensure proper protection of Indigenous heritage throughout Australia. I associate myself with the minority report of the Environment, Communications, Information Technology and the Arts Legislation Committee. Although I am not a full member of that committee, I certainly concur with the comments contained in the minority report.

It is worth re-emphasising an aspect of what Senator Carr said, which is that it is nearly three years since Senator Hill, as the then environment and heritage minister, gave undertakings that the bill to improve the Aboriginal and Torres Strait Island heritage protection legislation would be brought to the Senate as quickly as possible. The minister said that negotiations and consultations were continuing to take place, that the government recognised the shortcomings in the existing systems and that reform of that was long overdue. If it was long overdue in 2003, it is more than long overdue in 2006. It is hard to see the lack of action in this area as anything other than, at best, an inability to get this area out of the too-hard basket and, at worst, a clear indication of continuing contempt for the heritage of the Indigenous people of this nation.

There is a new politically correct sort of approach to Aboriginal and Torres Strait Islander matters in Australia, in which if you mention at all the history of what Aboriginal and Torres Strait Island people have gone through, you are immediately playing up to the guilt industry, adopting a black armband view or keeping Indigenous people mired in a victim mentality. We get all of those sorts of comments from the new politically correct culture warriors. I acknowledge that it can be unhelpful to do nothing other than continually point to past injustices without looking at what needs to be done in the here and now and into the future, but that simple and undeniable piece of commonsense should not be blown out into a blanket refusal to acknowledge the reality of the history and the damage of the consequences of that history.

There is no doubt that one of the aspects that continues to cause significant trauma to many Indigenous Australians is the destruction of their heritage: not just the dispossession but the destruction of and total lack of recognition and contempt shown towards areas of significance and areas that have great value to Indigenous Australians. The fact that we still have an inadequate process in place for protecting that even today just compounds those errors and those wounds of history. That is not to apportion blame, point fingers, smear the history of our nation or any of those things; it is simply to state the fact that everybody cannot deny that actions done to the Indigenous people of this country over the course of the last couple of hundred years have been mentally harmful and have created immense wounds for those Indigenous people, who have nonetheless survived the colonisation of this country.

As part of that we should also recognise that a failure to do anything now to at least ensure that further damage is not done maintains and continues to keep that harm alive. It is not completely unlinked from the comments and the policy approach of this government about practical outcomes for Indigenous people. I fully support any approach that will improve the practical day-to-day lives of Indigenous people. As I have said publicly a number of times, all parties in this place from across the political spectrum have failed the Indigenous peoples of this country, so none of us have a great deal to be proud about. It is not a matter of political
positioning or point scoring. It is not a matter of trumpeting an ideology.

I am fully in favour of anything that will have practical, positive results, and I am quite prepared to park ideologies at the door to achieve that. But, as part of that, it has to be acknowledged that linked to practical, positive improvements for Indigenous people is clearly demonstrating that the harm from the past will not continue to be done. The harm that has been caused and is clearly there for anybody who engages with many Indigenous communities around Australia will continue the feeling of injustice and the sense of dispossession that link to some of the problems of despair that many people reflect on. Some of that—not all of it—links back to our refusal as a parliament and as a country to at least acknowledge, and at least take action to ensure that we will not continue to compound, the harms of the past. We have collectively failed to do that, and this government has clearly failed to do that.

The fact that the then minister, Senator Hill, acknowledged three years ago to this chamber that reform was long overdue and that the existing system has shortcomings yet there has been a failure to act on that is a disgrace. I recall some of those negotiations at the time, because there were ongoing negotiations regarding other environment legislation, and I recall the then minister speaking on the Environment and Heritage Legislation Amendment Bill. The attitude towards this issue was always: ‘We’ll get around to that one. We haven’t quite finished the consultations yet. Let’s put this one through and we will fix that one up later.’ I now feel frustrated for having enabled that at the time and for having accepted the minister’s word that action was being taken and something would be done, and we let that go through on the promise that something else would be done. In that sense, I have to accept some responsibility for not doing more to insist at the time that more concrete things be done.

With regard to this area of the legislation, it is clearly a monumental failure on the part of the federal government. Part of why this is needed is that there is not a guarantee of adequate protection at the state level for some of these areas. I point to the current push from the Western Australian government to deny heritage protection for the world’s biggest collection of rock carvings. According to today’s Australian, the Western Australian government has called for the carvings on the Burrup Peninsula and the Dampier Archipelago to be left off the national protection register. The Western Australian National Trust director likened this to England moving Stonehenge for a mine or Egypt selling its pyramids for oil. As Mr Perrigo from the National Trust says, we have something here in Australia older than both of those sites and we are planning to destroy them or damage them.

One of the comments the Prime Minister made a little while ago that I gave public support to, whilst being a bit dubious about what his underlying intent was, related to the fact that we in Australia do not have a good enough understanding of our history. We do not teach our history well enough in schools. We do not have the fabric of our nation’s history adequately represented through many of the other activities of our society. There is a lack of awareness and a lack of knowledge about many aspects of our nation’s history, which I admit to having myself. A clear and undeniable part of that ignorance and lack of knowledge is our nation’s Indigenous history. When we have something that is so rich, so ancient and so unique but our country—purely through lack of awareness or interest—refuses to become aware of it and make it part of the fabric of our nation into the future, that is horrendously inadequate for us, let alone what it says about our atti-
tudes towards Indigenous people. The positive benefits for our nation of appreciating these sites—let alone what it means for Indigenous Australians—means we should be embracing and magnifying so many aspects of our nation’s Indigenous heritage and history. Of course it has some terrible aspects to it, and they have to be part of that narrative for it to be a genuine one, but the negative parts of that narrative are not the only parts of it; the enormous richness and the continuing survival of many aspects of Indigenous culture and heritage are a plus that our whole nation can share in. Sure, it is first and foremost for Indigenous Australians, but it is for our whole nation as we continue to develop and evolve as a nation into the future. It is just insane that we are not grasping this issue, putting maximum protection over these things and promoting them to the world.

Last year I was fortunate enough to visit Ireland as part of a parliamentary delegation. We went to a very old circle grave there called Newgrange. From memory, it is about 6,500 years old. I think it is the oldest continuing stone structure in the world. We have things in Australia—Indigenous sites—that are way older than that and put that in the shade, yet we have so little awareness of them. On top of that, we have inadequate protection of those sites. The Newgrange site is a World Heritage site. Can you imagine that being bulldozed for oil or being picked up or dug up and put somewhere else? Of course not! Yet we as a country, which in its modern form is so young, have this amazing ancient heritage that we do not acknowledge and, worse than that, do not protect. That is a failure at the state level as well as at the federal level. As I said before, it is a failure by all of us.

While this legislation does some small things to upgrade some aspects and bring Victoria into the same mix as other states, it clearly falls short of what is needed. To be left to one-off decisions on the part of the federal minister on the basis of his views is clearly not adequate. There is no doubt that the heritage aspects of the Environment Protection and Biodiversity Conservation Act give very significant powers to the federal minister. It does give powers to others to undertake court action, which they could not do before. The problem is that that is only if the minister chooses to exercise it. Of course, as Senator Carr said, he has famously exercised it with regard to the orange-bellied parrot. I hope the orange-bellied parrot survives as well, although I wonder why he has not done things about some of the other threats to the orange-bellied parrot, such as land clearing in its habitat. I do not know. Perhaps the Indigenous people, amongst all this rock art in Western Australia, have a painting of an orange-bellied parrot and maybe that will make the minister more keen to act to protect it, but it should not be up to the political currents and movements of the day—whether it is a Labor minister, a Liberal minister or a state Labor government in Western Australia making the decisions.

Part of what adds to people’s cynicism is that the Liberal opposition in Western Australia are saying that this is a magnificent site and that it would be a national shame if it were not protected but, when their former leader, Mr Barnett, was resources minister he did not realise the significance of this art, so he did not do enough to protect it either. But he now says, ‘I would have if I had known.’ It is no wonder people like us get cynical and it is certainly no wonder that Indigenous people get cynical when they have cast-iron promises from the minister of the day in this chamber saying, ‘This is long overdue; it’s urgent; we’re doing something about it,’ and nothing happens. Then you get the federal and state people pointing fingers at each other all the time and whenever they are in opposition saying, ‘This is outrageous’;
however, when they are in government somehow or other nothing seems to happen.

It is a consistent story and it is obviously not just in this area. But particularly given some of the enormous continued barriers to ongoing advancement of Indigenous Australians that come as a direct result of many of the atrocities and offences committed against them and offensiveness towards them, this is a small part but a part in our continual refusal to do more. I might say that it not only continues the injustices of the past but also in a quite genuine way constitutes one of a number of barriers to the practical advancement that this government talks so much of.

Even from that purely pragmatic, purely economic point of view and to get value for money from the dollars that are being put into this area—such as some of the new programs in the last budget—action on these sorts of things plays a key part. A failure to act on these sorts of things actually makes it less likely that some of these other programs will succeed. It is in all of our interests—not only purely fiscal interests but also the broader, perhaps more intangible, things that we all recognise as part of why we need to protect the heritage aspects of our nation. When we can value heritage sites in Australia that are buildings that are 100 years old, it is beyond me how we can fail to protect structures, paintings or other areas that indicate the presence of the original peoples of this nation, going back thousands and thousands of years. This is an urgent matter, and I would really like to hear a commitment from the government and this current minister to say that they are going to make this priority No. 1. As I said, it was long overdue in 2003—as even the then minister said. It is well and truly past that now.

Senator SIEWERT (Western Australia) (12.25 pm)—While the Australian Greens have some concerns about the detail of the Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005 [2006] and there have been amendments circulated in the chamber, there is a bigger issue of concern that I want to raise—and Senator Carr touched on this issue, as did Senator Bartlett—and that is what this bill does not seek to do and the issues it fails to address.

We are concerned that the government has failed to deliver on its promises to revisit the Aboriginal and Torres Strait Islander Heritage Protection Act in order to better protect Indigenous heritage, as was stated in this chamber by Senator Carr. On 20 August 2003 during the debate on the environment and heritage protection legislation, Senator Hill told the Senate:

We gave undertakings a couple of days ago that the sites bill—

the ATSIHP bill—

would be brought to the Senate as quickly as possible. The minister has since reaffirmed to me that negotiations and consultations are continuing to take place. We recognise the shortcomings in the existing system. Reform of that is long overdue. We are anxious to have a new and better piece of legislation put in place as quickly as possible.

Three years down the track we still do not have those amendments, the new and better piece of legislation has never materialised and Indigenous groups have not been properly consulted.

These are some of the main reasons that the bill was referred to the Senate Environment, Communications, Information Technology and the Arts Legislation Committee. I am concerned and disappointed that the majority report that came out of that committee did not address the reasons for the referral. I remind the Senate about the reasons for the referral, which were stated in Hansard and are contained in the Selection of Bills Committee report. They were listed as:
The adequacy of amendments to protect Indigenous heritage.

Do the amendments address concerns of Indigenous Australians?

Do the amendments reflect the changes recommended by the Evatt Report?

During the limited time available for community consultation on this issue, there were a number of concerns about the bill raised by Indigenous communities, particularly in Victoria. The majority report considered how it met its stated objectives but it failed to consider how it relates to the three criteria listed for the inquiry. It did not consider how the bill as a whole addressed these issues.

The bill does not address adequately the protection of Indigenous heritage. Since coming to power in 1996 the Howard government, I believe, has failed to meet its obligations to protect and conserve Indigenous heritage and has dramatically reduced its engagement on Indigenous heritage issues. This has been illustrated in both the government’s reluctance to use the ATSIP Act and its administration of the heritage provisions in the Environment Protection and Biodiversity Conservation Act 1999.

In 1984 the ATSIP Act was initially enacted as a temporary stop-gap measure while the government of the day developed more comprehensive national land rights legislation. When it became apparent in 1986 that such legislation would not be forthcoming, its sunset clause was repealed. The point is that it was not at the time considered to provide an appropriate national approach to the Commonwealth’s heritage obligations. The ATSIP Act was described in the Evatt report as ‘an act of last resort, intended to fill the gaps in state and territory heritage protection’. It is fair to say that the ATSIP Act has seen very little use. Of the 200 applications lodged since its commencement in 1984 only 22 declarations have been made. Since the coalition government came to power in 1996 only one declaration has been made. At the same time there has been an apparent reluctance to prosecute breaches of the act.

With the advent of the EPBC Act, it appears the intention of the government is to confine its statutory involvement on Indigenous issues to the Environmental Protection and Biodiversity Conservation Act and ignore the ATSIP Act. This has led critics of the ATSIP Act to describe it as a dead parrot. For instance, Wilkinson and McIntosh in 2006 from the Australia Institute—and this paper is in press—said:

...in so far as practical implementation, the ATSIP Act is ostensibly a piece of dead legislation, at least in terms of the life of the Howard Government.

This creates a problem, for two reasons. Firstly, the ATSIP Act has a far greater capacity to protect Indigenous heritage than the EPBC Act. The EPBC Act confines the statutory role of the Commonwealth to matters of international significance—that is, World Heritage areas—or national significance such as the National Heritage places and places located on Commonwealth land; that is, Commonwealth heritage places.

The ATSIP Act, however, contains no such limitations. In the intergovernmental agreement on the environment in 1992 and in the COAG agreement on Commonwealth and state roles and responsibilities for the environment in 1997, the Commonwealth expressed a desire to limit its involvement in environmental issues largely to Commonwealth areas and matters of international and national significance. The COAG agreement explicitly excludes heritage issues from this agreement. In relation to Indigenous heritage, the COAG agreement notes in clause 6 that ‘Indigenous heritage issues are being addressed in a separate process and are not covered by this Agreement’. To date, the co-
operative national heritage places strategy has not been prepared and the Indigenous heritage process appears to have been terminated by the federal government in the late 1990s. Consequently, it appears the Commonwealth’s decision to confine its involvement in Indigenous heritage issues in the manner described is a unilateral decision made with little or no consultation with Indigenous communities or the states and territories.

When the heritage amendments to the EPBC Act were debated in 2003, Senator Robert Hill gave repeated assurances that the government was carrying out a consultation process with Indigenous communities on an amendment to the ATSITHP bill that would ensure that the Commonwealth continued to play an active role in the protection of Indigenous heritage sites that did not fall within the scope of the EPBC Act. Senator Hill also assured the Senate that this amendment bill would be debated in the parliament as soon as the consultation process was completed. From the information that is currently available, it appears there was no such consultation process at the time that statement was made and there has been no consultation on a broad ATSITHP amendment bill carried out with Indigenous communities since then. I believe this is outrageous.

The second reason why limiting the Commonwealth’s involvement in Indigenous heritage protection to the EPBC Act regime is problematic is the way in which the national and Commonwealth heritage lists are being administered. As far as the National Heritage List is concerned, it appears that a place of significance to a particular Indigenous community will not be eligible for inclusion on the Heritage List unless it can be established that the place is important to the broader Australian community—for example, because it is of archaeological, anthropological or scientific interest or because it marks a significant event in colonial or post-Federation history. By establishing these stringent criteria, the government has ensured that the vast majority of culturally significant Indigenous heritage places will not be and cannot be included on the National Heritage List, and those few that are will not be sites that are of the greatest value to Indigenous Australians.

Let me put it clearly and simply: sites that are of the greatest traditional cultural significance to Aboriginal people are by definition significant to local and regional groups—the people whose land it is and whose dreaming stories and trails are woven through these sites. Traditional cultural heritage is about a connection to the land and to the stories that give a sense of a place’s meaning. There is no way that a sacred site can be of national significance. It cannot be of significance to all Australian and Torres Strait Islander peoples when there is clearly no way that the majority of them have ever visited a site on the other side of the continent or have a spiritual connection to it. It still means this site is important to the local group, however.

There may be a case for some few modern sites of cultural significance to arguably have significance to all Indigenous Australians nationwide because of their involvement in the national political struggle for citizenship, recognition and land rights—for example, the tent embassy in Canberra. But we have seen very clear signals from the government that they are not the least bit interested in recognising this type of cultural heritage—probably, I would say, because it underlines their ongoing failure to address these issues of recognition, representation rights and equality. This highlights a further problem that applies to both the national and the Commonwealth heritage lists, and that is the manner in which the Minister for the Environment and Heritage can exercise statutory

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discretion to stall or block the listing of Indigenous sites that meet the listing criteria.

As the Greens predicted in the debate concerning the heritage amendments to the EPBC Act, the listing processes have become highly politicised and the minister has demonstrated an unwillingness to list places that are politically contentious. The decision-making process under the EPBC Act in relation to Indigenous heritage protection in this way ultimately reflects another example of white people making decisions about black issues and values. The apparent priority that is being given to places that relate to colonial and post-Federation history suggests that the government is not concerned about Indigenous heritage or at the very least sees it as a low-order issue.

I am concerned that the timing of the ECIT A committee inquiry into this bill was such that we were unable to obtain substantive Indigenous community submissions or to enable adequate community consultation to properly assess the level and substance of community concern about the bill. This issue has been particularly acute during this inquiry due to the reduced capacity within Indigenous communities in recent times to be able to participate in these processes, consultation fatigue and the requirement for submissions to be turned around quickly so late in the year last year. One of the fundamental principles of Indigenous community consultation is allowing sufficient time for discussion and decision making to take place. Unfortunately, due to the time constraints of this committee they were not able to have this level of consultation.

The Evatt report undertook a review of the Aboriginal and Torres Strait Islander Heritage Protection Act 10 years ago, in 1996. It is unfortunate that a decade has passed without significant action being taken. Elizabeth Evatt clearly indicated that the legislation was inadequate in the protection it provided for Aboriginal and Torres Strait Islander heritage as well as in the extent to which it involved Aboriginal people in the decisions that are made under the act. I am concerned that what was a very comprehensive report that made some very sensible and extremely valuable recommendations relating directly to the title of this bill has not been addressed. It is clear this bill as a whole does not address the Evatt report’s recommendations in any real way, and there is no evidence that any other efforts on behalf of the government are being made to address these major recommendations.

The main recommendations of the Evatt report included: respecting customary restrictions on information, including gender; protection from disclosure contrary to customary law restrictions; guaranteed access rights to sites of significance; minimum standards for state and territory cultural heritage laws—which is particularly relevant to the bill that we are discussing now; protection of all aspects of Indigenous heritage, including intellectual property; and ensuring decisions on a site are determined by Indigenous people based on the intensity of their beliefs and feelings of significance. They are just some of the recommendations.

The federal government should fulfil its previous commitment to consultation with Aboriginal and Torres Strait Islander communities on the recommendations of the Evatt report. It should fulfil its previous commitment to review the ATSIHP Act with a view to introducing a broader ATSIHP amendment bill within the current term of parliament.

While the Greens agree that this bill may deliver greater certainty for the exhibition of artefacts held in overseas collections, it is entirely understandable that many Indigenous communities would not consider the
ability to view behind glass in a museum what they see as stolen items as any substitute for the loss of this heritage. It is important to note that there is increasing international activity around the return of cultural artefacts. Recently, we heard media reports about how the government of Italy is now suing what is arguably the wealthiest museum in the US. Within this changing international environment, it would be an opportune time for the government to revisit this issue. We believe more must be done to pursue the return of these precious and sacred artefacts from overseas.

Concerns were raised with me and with the committee inquiry by the Central Land Council regarding the impact of the sunset clause in this act. Senator Carr also alluded to that. This would effectively see heritage protection declarations made by the minister under sections 10 and 12 automatically cease after 10 years. While these concerns were raised in the majority report of the committee, it is our opinion that bringing them to the attention of the minister is not sufficient, as it will not guarantee in law an effective response and leaves the door open for future ministers to ignore or abuse this oversight. We do not believe the minister wants to be involved in this level of administrative trivia. I am proposing a simple amendment to this bill to exempt it from the sunset clause in the Legislative Instruments Act, which is in line with what has been done for many other pieces of legislation. This would ensure that existing declarations do not have to be remade.

I am also concerned about the enabling of state administration of Aboriginal heritage protection in Victoria. Serious concerns were raised by Indigenous communities in Victoria about the substance of the proposed state legislation and the impact that handing this legislative power back to the state will have on Aboriginal communities in Victoria. These concerns included the lack of appropriate and adequate consultation that was involved in the drafting of the Victorian legislation. It also included the manner in which it excludes some traditional owners and existing Aboriginal organisations from the decision-making processes, which seems likely to have the effect of overriding their ongoing role as traditional custodians of their heritage.

The Yorta Yorta submission raised serious concerns that the draft Victorian legislation imposes an Aboriginal heritage council which is appointed by the minister. It also imposes a system of registered Aboriginal parties that do not necessarily reflect existing community structures, decision-making processes or recognised traditional elders. This undermines existing community structures, agreements and decision-making processes and could create conflict between community leaders who are included in and those excluded from the council. The state heritage protection legislation effectively sidelines Indigenous involvement in decisions about cultural heritage to a purely advisory role and increases the ability for Indigenous people to be played off against each other.

Existing community-appointed Aboriginal heritage inspectors and cultural officers who have invaluable knowledge, experience and expertise in the threats confronting their cultural protection are losing their jobs. Concerns were raised at a community meeting I attended about the way in which the proposed structure of the Aboriginal heritage agreements and cultural heritage permits takes away any right of veto over development proposals and creates potential conflicts of interest for the state government on proposed developments.

I appreciate that I am discussing the impacts of proposed state legislation, and that
is, prima facie, a case for uniformity for all states and territories having equal control over their heritage issues. However, I am concerned that handing over responsibility to Victoria effectively means that the Commonwealth is failing to meet its heritage obligations to the Indigenous peoples of Victoria. The Commonwealth has an obligation to ensure that Indigenous heritage will be adequately protected before it devolves responsibilities to Victoria. The Commonwealth has both legal and moral obligations to protect Indigenous heritage that arise from international agreements, the Australian Constitution and the future nature of the Australian political system.

The ATSIP Act was intended to act as a fall-back statement for situations in which states and territories were not ensuring their protection. I am concerned that the ultimate effect of enacting this bill without ensuring that the proposed Victorian legislation meets Commonwealth and community expectations would be a diminution of the protection of Aboriginal heritage in Victoria. I have therefore proposed another amendment that will ensure a review of that legislation to ensure that the Victorian legislation is meeting its obligations and the Commonwealth’s expectations. I will be pursuing these two amendments in the committee stage.

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (12.44 pm)—We have, I think, about 45 seconds left in this debate. In the time available can I thank honourable senators for their contribution. I will commence the summing-up speech. The Aboriginal and Torres Strait Islander Heritage Protection Amendment Bill 2005 [2006] reflects the Australian government’s commitment to protecting Australia’s heritage and ensuring that Australians benefit from appropriate international cultural exchanges.

Debate interrupted.

SOCIAL SECURITY AND VETERANS' ENTITLEMENTS LEGISLATION AMENDMENT (ONE-OFF PAYMENTS TO INCREASE ASSISTANCE FOR OLDER AUSTRALIANS AND CARERS AND OTHER MEASURES) BILL 2006

Second Reading

Debate resumed, on motion by Senator Ellison:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

GENERAL INSURANCE SUPERVISORY LEVY IMPOSITION AMENDMENT BILL 2006

Second Reading

Debate resumed from 9 May, on motion by Senator Sandy Macdonald:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

HEALTH AND OTHER SERVICES (COMPENSATION) AMENDMENT BILL 2006

Second Reading

Debate resumed from 9 May, on motion by Senator Sandy Macdonald:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.
Third Reading

Bill passed through its remaining stages without amendment or debate.

PROTECTION OF THE SEA (POWERS OF INTERVENTION) AMENDMENT BILL 2006

Second Reading

Debate resumed.

Senator O’BRIEN (Tasmania) (12.47 pm)—I rise to speak on the Protection of the Sea (Powers of Intervention) Amendment Bill 2006 on behalf of the Australian Labor Party. This bill amends the Protection of the Sea (Powers of Intervention) Act 1981 to ensure the Commonwealth can effectively respond to threats of serious marine pollution arising from maritime incidents.

Among other matters, this bill clarifies the status and scope of the Australian government’s power of intervention in Australia’s exclusive economic zone; aligns the scope of powers available to the Australian government in the exclusive economic zone with that in the coastal sea area; extends the application of the act to all ships in the coastal area which present a significant threat of pollution; and clarifies the extent and scope of intervention powers in relation to prevention of pollution by extending powers for direction in relation to tugs, places of refuge and persons other than shipowners, masters and salvors. In addition, the bill provides that intervention directions issued by the Australian Maritime Safety Authority prevail over other directions; revises penalties for non-compliance with direction given under that act; provides for responder immunity from liability for decisions made with due care; and provides for reimbursement on just terms for the use of requisitioned property, including compensation for damage or loss occurring while property is under requisition.

These are sensible measures and they enjoy Labor’s support. What Labor does not support is the Howard government’s anti-Australian shipping policies. This anti-Australian shipping posture has a number of consequences, not least of which is the threat that flag of convenience vessels present to our marine environment. We have been fortunate that a disaster involving a flag of convenience vessel has not caused an environmental catastrophe in Australian waters. With the increasing numbers of poorly maintained flag of convenience vessels plying the Australian coastline, Labor fears it is a matter of not if but when a major marine environmental catastrophe occurs on this government’s watch.

AMSA is tasked with managing ecological disasters arising from maritime incidents. We hope that with the passage of this bill AMSA will be better equipped to undertake this task, but we are more concerned that disasters are prevented in the first place. The goal of prevention, mitigation and elimination of risks to our marine environment is not facilitated by a flag of convenience dominated coastal trade. For 10 long years the Howard government has undermined Australia’s domestic shipping industry by encouraging foreign rust buckets to ply our coast. The former Minister for Transport and Regional Services and Deputy Prime Minister, Mr Anderson, took the view that Australia is a nation of shippers, not a shipping nation. That view informed the Howard government’s shipping policy during Mr Anderson’s tenure as minister and it continues to inform government policy under his successor.

The Howard government has used the continuous and single voyage permit provisions of the Navigation Act to open up the Australian coast to flag of convenience vessels. Many of these ships are held together by little more than the ingenuity of their underpaid crews. These vessels fall outside
Australia’s control with respect to labour conditions, ship safety, crew training, security and environmental standards. The contrived unavailability of Australian tonnage to meet domestic shipping needs has removed certainty for the domestic shipping industry and largely killed off investment in this sector. This set of circumstances would not be tolerated in any other transport sector. We would not allow a German trucking company to bring in a vehicle registered in Panama, driven by a visa-less Guatemalan, who is paid a Filipino wage, and authorise it to carry goods on the Hume Highway. So why are similar arrangements acceptable with respect to ships plying their trade on the Australian coast and entering and exiting our ports on a daily basis? Two hundred thousand foreign seamen are entering our ports at the same time. The government, unfortunately, has no answer to this question.

There have been recent glimmers of hope for the Australian shipping sector, including the commencement of coastal trade by PAN Australia Shipping. But sadly, in its very first days, this venture was undermined by the incapacity or unwillingness of the Howard government to enforce the cabotage provisions of the Navigation Act. It appears that flag of convenience vessels have been permitted to carry cargo destined for the PAN vessel *Boomerang I*. The Minister for Transport and Regional Services has not been prepared to enforce his own cabotage guidelines. I have asked a question on notice about failings in the government’s administration of cabotage with respect to *Boomerang I*, but the minister has refused to answer. The minister’s attempt to avoid my questioning about this matter does not diminish his culpability for undermining Australian shipping, and it will not dissuade Labor from continuing to put the Howard government’s anti-Australian shipping policies under the spotlight.

In the 2001 election the Howard government went to the people under the slogan ‘We will decide who comes to this country and the circumstances in which they come’. What most of us missed was the asterisk at the end of that slogan which exempted flag of convenience vessels from any effective control, even when these foreign ships are taking jobs from Australians and sucking the lifeblood out of our domestic shipping industry.

I have referred to the undermining of PAN Australia Shipping’s operations. It is far from the only Australian operation to suffer at the hands of this government. Earlier this week the Howard government issued a single voyage permit to a Panamanian flag of convenience vessel, *Golden Yuki*, to carry Australian molasses down the Australian coastline in preference to an Australian vessel operated by Stolt NYK Australia, an Australian company. Despite the availability of an Australian vessel and crew, the government authorised this foreign ship to carry domestic cargo down the Australian coast. It effectively permitted this foreign ship, crewed by Chinese seafarers, to take Australian jobs.

My advice is that the Australian-registered vessel, crewed by Australian seafarers, was perfectly capable of carrying the cargo. But, rather than require the cargo to be carried by this licensed vessel, as mandated by the coastal trade provisions of the Navigation Act, the government deemed the Australian vessel inadequate and issued a single voyage permit to the Panamanian ship. This foreign vessel commenced loading its domestic cargo yesterday, and the Australian vessel was sent on its way. Stolt NYK Australia estimates the company has lost 11 shipments to foreign vessels since June 2005, representing a loss of business totalling $1.7 million.

Sadly, the government’s treatment of Stolt NYK Australia is not out of the ordinary. The
Howard government has systematically corrupted the single and continuing voyage permit system. It has corrupted it to such an extent that the issuing of permits to flag of convenience vessels is now a matter of routine, regardless of the capacity and availability of licensed vessels. It is time for this government to stop its abuse of the single and continuing voyage permit regime and give Australian shipping and Australian maritime workers a fair go.

The bill before us concerns the Commonwealth’s capacity to respond to maritime incidents that pose a threat to our marine environment. This is an important objective. It is one we support. We hope that AMSA’s capacity will be strengthened with the passage of this bill, but at the same time we demand that the Howard government abandons its contempt for Australian shipping and strengthens its commitment to preventing maritime environmental disasters, not just responding to them more effectively. Sadly, this bill, while containing some worthy measures, does not signal a change of policy on the part of the government. For that reason, I now move the following amendment:

At the end of the motion, add: “but the Senate condemns the Government for administering anti-Australian shipping policies that favour foreign flag of convenience vessels and put the Australian marine environment at unnecessary risk”.

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (12.56 pm)—I thank Senator O’Brien for the supportive comments he made in relation to those aspects of the legislation that he supports. The Protection of the Sea (Powers of Intervention) Amendment Bill 2006 demonstrates this government’s commitment to promoting environmentally sensitive safe shipping practices. The bill implements the regulatory elements of the national system for emergency response, updating existing legislation to align it with international maritime law and clarifying the provisions of the legislation to strengthen the regulatory framework for the national system, while ensuring compliance with the provisions of the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties 1969.

The bill clarifies the Australian government’s powers of intervention when there is a threat of serious pollution. This is an important piece of legislation, which will contribute significantly to ensuring that our capability to protect our pristine environment from the consequences of unforeseen marine disasters remains adequate and relevant. The government has every confidence that these measures are of great benefit to the Australian public.

Senator O’Brien raised a matter in relation to the shipment of molasses. I am advised that part VI of the Navigation Act provides that a permit may be issued not only when no licensed ship is available but also when the service provided by licensed ships is not adequate. In this case the department carefully considered the information made available to it from both the permit applicant, CSR, and the licensed ship operator, Stolt NYK Australia, and reached a view that the Stolt service was inadequate for this molasses shipment within the terms of the Navigation Act. Consequently the department concluded that the issue of a permit for the carriage of this low-value by-product would be in the public interest, given its importance as a domestically sourced input to a variety of Victorian manufacturing industries. The shipment of molasses has been a point of contention between Stolt and CSR for a number of years and both sides in the dispute have made a number of representations to the department regarding the matter. I commend the bill to the Senate.

Question negatived.
Original question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

DEFENCE HOUSING AUTHORITY AMENDMENT BILL 2006

Second Reading

Debate resumed.

Senator MARK BISHOP (Western Australia) (12.59 pm)—The Defence Housing Authority Amendment Bill 2006 represents a significant stage in the evolution of the Defence Housing Authority. The only criticism that we have of substance is that it is a decade overdue. The provision of housing to the ADF and their families is a fundamental condition of service. Yet it is not that long ago—relatively—when housing for Defence people was absolutely appalling. It is not all that long since single men and women lived in World War II barracks—and there are still plenty of those to be seen around Australia. It is not all that long since one of the biggest topics of complaint from Defence personnel was their housing—either its lack of quality or the lack of maintenance. From leaking roofs to flyscreen doors, the attitudes of Defence management and the government of the time were locked into that of war time. ADF personnel had to put up with it and shut up.

Most affected were the wives and children, who were shunted from base to base and house to house. Everywhere they went, the problem was the same: poor-quality housing—except for some of the officers, with the best residences in the best positions in our capital cities reserved for a few. It is little wonder that there is so much resistance to moving our military bases out of those places. The reported resistance to the construction of the new joint headquarters at Bungendore in the bush outside Canberra is a case in point. The unfortunate nature of that lies in the idiocy of the decision, which is pure pork-barrelling without any justification whatsoever.

However, under better management—beginning in the early 1980s—more attention was paid to defence housing. The establishment of the DHA as a separate authority, ridding Defence of the cumbersome bureaucracy which preceded it, made the difference. It has taken time, though, for the organisation to mature. Over recent years, with sound management and the discipline which goes with properly managing a very large property portfolio, DHA, it must be said, has become a different organisation. And, as we know, it now also looks after removals—another long-running sore, and one which defence personnel endure far too often.

This is a big business, as anyone who looks at the balance sheet for DHA can see. DHA has moved from an organisation providing and maintaining its own property to a broader property management business. It no longer owns all its property but is active in the rental and leaseback fields. Instead of being an annual drain on the budget, DHA now performs commercially, and reports accordingly. The changes in this bill will assist that further.

A look at last year’s figures is instructive. Last year earnings before interest and tax were $82.3 million, up $8 million on the previous year. Net profit was $66.9 million, which was $26.5 million above target, with 451 houses built in the year and a further 520 purchased. The combined cost of this was some $396 million, so we are talking about a massive business. And it is one which has been largely unheralded in a period when it can be fairly said that the rest of Defence purchasing is a very dismal tale indeed. Our congratulations go to the management and
staff of the DHA. I am sure, too, that members of the ADF also appreciate the new quality of housing they continue to enjoy. I know that those Australian investors in the property market know what a good deal rental to the DHA is. With guaranteed rental income 12 months of the year and total maintenance, it is a very good deal indeed. The number of houses rented now totals 16,128, and the number of removals each year stands at 30,809. The latter is another story for another time, but it can be said to be one of the greatest drawbacks of Defence service.

Let me return to the bill before us. This bill does a number of things, all of which we support, though not without criticism. Primarily, the bill converts DHA from a statutory authority, with functions serving the ADF exclusively, to a commercial organisation. As such, a number of changes need to be made. First, the name changes to Defence Housing Australia. That of course retains an exclusive Defence flavour which belies its broader responsibility beyond Defence. Perhaps that is the obvious next step. It is not a huge one—except for the Howard government, which has made incrementalism a fine art. By this bill, DHA will have responsibility for providing housing beyond Defence to other Commonwealth agencies. One might ask: why restrict it to Commonwealth agencies? Given the Howard government’s penchant for selling the family silver, the sale of DHA might already be on the agenda.

Along with the broadening of housing services, DHA will also be able to provide ancillary services. These ancillary services are undefined except that they must be related to housing services, the minister having the discretion to broaden this ambit. It is worth speculating on these ancillary services because in some instances it could lead, we presume, to other services such as social support being provided. That could take the shape of education services, including preschools. It could, we presume, lead to counselling and assistance during absences on deployment, and so lead to a more integrated form of family support within the Defence community. We would certainly support that development.

We would also support the bringing together of other services and support in the personnel area which are currently divided along bureaucratic lines. The provision of health services during and after service in the ADF is a very topical case in point. If this initiative makes the DHA a hub, then that is good and worth while. To the extent that this might lead to the better management of services in addition to removals in a more holistic way, we support that initiative. Interestingly, though, there is also—as usual—a dead hand in the bill. In case the DHA gets too adventurous and too commercial, the extent of any new business undertaken outside the core function of housing is to be limited. The dead hand dictates that the volume of any new business will be limited to 25 per cent of the total. That is a restriction that we find odd coming from a government that supports free enterprise and benefits for entrepreneurs. Perhaps it is a device to limit demand; maybe it is a device to limit supply.

But that is not the only dead hand. Consistent with this commercialisation process, the board of DHA will also be reduced. DHA, despite its name, will no longer be a purely defence organisation. The board will be reduced from 12 to nine, the loser being Defence. Defence representation will be reduced from five to two—those to be removed being representatives of the defence community, including, oddly enough, a spouse representative. Yet the Department of Finance and Administration gets a guernsey. The reason? The minister says it is ‘to enhance its commercial focus’. He has to be joking!
The simple truth is that the longstanding war between Finance and Defence has resulted in infiltration by the former. That will ensure at least that the maximum revenue will be sucked out to budget, and DHA will wither from a lack of capital funds like nearly all other government run enterprises. Consistent with that, this bill also provides that the new DHA will pay tax, from which it was previously exempt. Given the performance of DHA this is not a problem, but it is still, in essence, a milking of capital which we can be sure will not be provided. So Finance win again—they will strip a hefty dividend before tax and then get the right to impose tax as well. Capital, in that circumstance will, presumably, have to be borrowed—another cost. And just to make the point on how DHA will operate for the benefit of Commonwealth revenue, DHA operations will be exempt from all state taxes.

So this is the new Commonwealth business enterprise model—built, we suggest, for revenue. No doubt, ADF families will pay more rent or be subsidised further by Defence—that is obviously going to have to occur. Either way, Finance win and Defence lose. But, as Finance no doubt say, Defence waste so much it should not be a problem—it is all swings and roundabouts. The defence community also lose by the loss of their representation. In the place of their two lost board members they get an advisory committee. This committee is purely advisory, and in fact section 30 of the bill gives the board power to issue the committee with directions as to how it should operate. That is the bill in a nutshell.

Despite our cynicism about the obvious bureaucratic intrigue that is woven into the story, the amendments are still worthy of support. For Labor, there is only one position and that is that which looks after the welfare of ADF families. Life in the military, as we all know, is pretty tough. Absences and constant moves are enough to strain any relationship. They are certainly enough to make family life difficult. And it is enough, as we also know, to impact on recruitment. The ADF itself admits that, but the government dithers. Some of the announcements on Tuesday night, I suspect, are going to have a marginal impact at best.

We can only imagine how bad it might have been had it not been for the efforts of the board and the management and staff of DHA in recent years. Conditions of service are at the heart of military service, and when the labour market is tight and recruitment is hard the attraction of housing is very important. But, as is generally acknowledged, the housing must be good quality. It must be better than the housing trust fibro which was all that was once on offer. Housing must be of high standard and it must be close to all facilities, as is the case for other Australians. ADF families should not be denied the living standards available to everyone else, recognising the peculiarities of their service. Good housing is part of the deal and that is why the opposition support this bill.

Senator SANDY MACDONALD (New South Wales—Parliamentary Secretary to the Minister for Defence) (1.11 pm)—I was interested in what the shadow spokesman had to say. The Australian government is committed to the provision of quality housing for all members of the Australian Defence Force. The Defence Housing Authority has become a considerable success story over recent years in both social and economic terms. This amendment bill will help to underpin the long-term viability of DHA as a government business enterprise.

The existing DHA Act is 19 years old and requires updating to better reflect the current governance arrangements that are to be applied to DHA after the Uhrig report. The proposed amendments are supported by both
shareholder ministers, the Minister for Finance and Administration and the Minister for Defence, and, of course, DHA itself. The amendments reinforce the government’s commitment to provide quality housing and housing related services to defence personnel and to their families. They will also allow the DHA to expand its commercial base to include other government agencies while ensuring that the interests of Defence are safeguarded. The expansion of DHA’s client base and services will enable it to provide a more diverse range of services to Defence and will assist it to compete more effectively in the market for new accommodation projects.

The bill also proposes amendments that will expand the scope of the DHA and increase its operations beyond Defence. The DHA will be able to provide housing and housing related services to other Commonwealth agencies and ancillary services to both Defence and other Commonwealth agencies. The ability for the Commonwealth agencies to utilise the DHA’s expertise in the provision of housing or housing related services has the potential to benefit the whole of government.

The changes to the structure of the DHA board will provide a more commercial focus and will better reflect best practice as outlined in the Uhrig review. The bill proposes amendments that will improve the harmonisation of the Defence Housing Authority Act 1987 and the Commonwealth Authorities and Companies Act 1997. The DHA’s governance arrangements will be more closely aligned with those of other government business enterprises. The proposed amendments to the DHA Act will assist to ensure the long-term viability of DHA. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading
Bill passed through its remaining stages without amendment or debate.

Sitting suspended from 1.15 pm to 2.00 pm

QUESTIONS WITHOUT NOTICE
Budget 2006-07

Senator CAROL BROWN (2.00 pm)—My question is to Senator Kemp, Minister representing the Minister for Families, Community Services and Indigenous Affairs. Can the minister confirm that the only benefit to pensioners in the budget is a one-off payment of $102.80 to a pensioner or pensioner couple? The Treasurer in his budget speech said that the strong budget position allowed the government to recognise pensioners’ important place within our community. Can the minister confirm that a payment of $1 per week each to a pensioner couple accurately reflects the government’s recognition of pensioners’ contributions to our community?

Senator KEMP—No-one doubts the commitment of this government to lower income families.

Senator Carr—I doubt it!

Senator KEMP—Sorry—no-one except card-carrying members of trade unions who are in this Senate. I correct that. You were right to draw that to my attention, Senator Carr. The fact is that over the life of this government the Howard government has given a very high priority to assisting pensioners. In relation to the issue you raised, Senator Brown, we did give a pensioner bonus, and I think that has been welcomed. You of course wonder what else we have done. I would have thought a lot of pensioners would have been delighted with the announcement we made in relation to the assets test. I would have thought that the changed treatment of that assets test would be one of
the issues which a lot of pensioners would be happy with. I am rather surprised that you did not mention that.

This is a very good day to ask such a question, because tonight Mr Beazley will be putting down the Labor Party policy. The interesting thing for the community to see, since the Labor Party is quibbling over matters in relation to the Howard government’s budget, which has been overwhelmingly welcomed, will be whether in the Beazley reply tonight he picks up Senator Brown’s suggestion. I for one will be looking very closely to see whether Senator Brown’s suggestion has been picked up and properly costed, showing what the effect on the surplus will be. But of course the Labor Party would not want any measure which affected the surplus, in light of the campaign that they are running on interest rates.

It is an interesting test for the Labor Party. Senator Lundy asked me some questions in relation to child care and I had some questions from Senator Evans. The issue is what the Labor Party will put up tonight—whether, having raised concerns about this budget, Mr Beazley will in the budget reply tonight show that he has taken the views of senators seriously or whether senators are going to be ignored. The government has announced its policy. We believe it is a policy which has been welcomed.

Senator Chris Evans—There were a lot of calls about your performance yesterday.

Senator Kemp—There are a lot of calls about yours every day, I have to say.

The President—Order! Minister, ignore the interjections and address your remarks through the chair.

Senator Kemp—People do not even know who the Leader of the Government in the Senate is. That is a bigger problem for you than for me, Senator Evans.

Senator Chris Evans—It’s Nick Minchin, actually.

Senator Kemp—I meant the Leader of the Opposition in the Senate. We know who the government leader is. We will be looking very closely at the budget statement by Mr Beazley tonight to see whether he shows a concern similar to Senator Brown’s.

Senator Carol Brown—Mr President, I ask a supplementary question. Given that the government’s budget provides tax relief of $119 a week for high-income earners, more than a pensioner couple receive in a year, is the minister satisfied that the benefits of the budget surplus have been targeted fairly?

Senator Kemp—I do not know whether Senator Brown has been well briefed. My understanding is that the Beazley opposition have accepted our tax cuts. They have obviously done that because they think that the tax concessions we made are sensible and fair.

Opposition senators interjecting—

Senator Kemp—If the Labor Party are going to oppose these tax measures, that will be very interesting to see. But I suspect you will find that the Labor Party support our tax measures.

Budget 2006-07

Senator Fierravanti-Wells (2.05 pm)—My question is to the Minister for Communications, Information Technology and the Arts, Senator Coonan. Will the minister inform the Senate how the Howard government is encouraging greater local production of film and television? Is the minister aware of any alternative policies?

Senator Coonan—I thank Senator Fierravanti-Wells for the question and for her keen interest in this matter, which is of great interest to many Australians. As many senators are no doubt aware, there are a number
of very positive measures in the budget for film and television producers, which is of course very good news for Australian viewers. The government has demonstrated its commitment to quality national broadcasting by providing the ABC with significant new funding in the 2006-09 triennium. In addition to its triennial base funding of more than $2.5 billion, the ABC will receive $88.2 million in additional funding. This funding will help produce significant new Australian content and further strengthen the ABC’s regional and local programming.

We have committed $30 million over three years for the ABC to establish an independent commissioning arm to invest in high-quality drama and documentaries from the Australian independent production sector. The government expects the fund will operate in a similar manner to the successful SBS Independent, that is, the SBSI, commissioning fund and will attract significant external investment to boost the size of the commissioning fund. The figures in the ABC’s triennial funding submission suggest this funding of $10 million a year will enable the ABC to leverage additional investment of around $15 million a year. This will allow for the production of around an extra 30 hours of high-quality Australian drama, documentary and arts programming each year.

The funding will meet twin objectives: helping to address the reduction in Australian content on ABC TV over recent years and also providing a significant boost to the local production sector. Funding for regional and local programming will also be increased by $13.2 million over the next three years, bringing total funding for the regional and local programming initiative to $68.7 million over the triennium. In total, the ABC will receive more than $2.5 billion in government funding over the next triennium—significant investment in public broadcasting by anyone’s measure. In fact, the ABC chairman has described it as the best budget result for the corporation in 20 years.

In the budget the government also announced a review of the full range of government support measures for funding films in Australia. I commend Minister Kemp for his commitment to achieving this review. The 2006-07 review will be broad ranging and will examine the effectiveness of current programs. I note the government’s measures have been welcomed by both the screen industry and the ABC. Of course, we always hear from the other side some mouthing of support for the creative industries, but it is only the coalition that can deliver a strong economy and the real commitment that Australia needs to support a healthy and a creative screen industry.

Budget 2006-07

Senator FORSHAW (2.09 pm)—My question is directed to Senator Kemp, Minister representing the Minister for Families, Community Services and Indigenous Affairs. I ask: can the minister confirm that both the new family tax payment rates contained in the budget and the welfare to work changes will operate from 1 July 2006? The budget contains welcome additional assistance to families by increasing the eligibility for family allowance. The welfare to work changes mean single parents applying for parenting payments will receive a lower payment—$55 less each fortnight to care for their children. If helping families is the highest priority of the government, as the Treasurer, Mr Costello, claims, why is the government treating single parent families on income support differently to other family unit types? Why should the children in these families be forced to live on less?

Senator KEMP—Senator, I have to point out to you that the government has given a very high priority to families. I made the point to you yesterday that the best friend
families have had in relation to federal governments is our government. If you feel that the welfare measures announced in this budget are not up to Labor Party expectations and that the Labor Party can go further, what we will do is look very closely at what Mr Beazley will announce in the budget reply tonight.

Senator FORSHA—He did not even go a minute! The question was longer than your answer. Maybe you should swap sides—in fact you probably will. Mr President, the supplementary question I have is: if the budget initiatives are designed to assist families to meet additional costs, such as petrol price increases, as the Prime Minister has argued, can the minister explain why single parent families are apparently immune to these cost increases and, in fact, in the government’s view, can live on even less?

Senator KEMP—The answer to that is straightforward. Pensions are indexed. The index applied to a pension takes account—

Senator Chris Evans interjecting—

Senator KEMP—You have asked me about single parents on pensions, and pensions are indexed.

Senator Chris Evans—You’re taking them off the pension, you goose!

Senator KEMP—You asked me about single parent pensions.

The PRESIDENT—Senator Kemp, could you address your remarks through the chair and ignore the interjections.

Senator Robert Ray interjecting—

Senator KEMP—It is very nice to have you back from New York, Robert, I must say, and thanks for coming back. The costs that are imposed on people are taken into account in the indexation of pensions, and that, of course, includes fuel prices.

Budget 2006-07

Senator HUMPHRIES (2.12 pm)—My question is to the Minister for Ageing, Senator Santoro, representing the Minister for Health and Ageing. Would the minister outline to the Senate what this week’s federal budget means for health and medical research in Australia?

Senator SANTORO—I thank Senator Humphries for his question and acknowledge his very strong involvement in and support for many of the initiatives delivered in Tuesday’s budget, in which he has played a huge role. Tuesday’s budget delivered a huge boost to Australian health and medical—

Senator Faulkner interjecting—

The PRESIDENT—Order! Senator Faulkner, if you are going to interject, I suggest you do it from your correct position, and I remind you that interjections are disorderly.

Senator Faulkner—Mr President, I rise on a point of order. While you are quite right about being disorderly with interjections and called me to order, you are just a bit out of date: I have been instructed by the whip that this is my new seat—and I am loving it!

The PRESIDENT—My seating plan is out of order too.

Senator SANTORO—Tuesday’s budget delivered a huge boost to Australian health and medical research with the allocation of an additional $905 million as a major investment in our future health, meaning national health and medical research funding will increase fivefold from $127 million in 1996 to $700 million a year in four years time.

The budget provides $500 million for research into new medical knowledge and technologies with the potential to prevent or treat disease and improve the lives of Australians. It will be part of a total of $692 million to boost research grants, fellowships and
specific research agendas. This will be com-
plemented by an investment of $213 million
in infrastructure and capital works for medi-
cal research organisations.

This funding injection will kindle a high-
performing, high-impact collaborative re-
search program with direct links to the medi-
cal sector and to economic growth. As my
colleague the Minister for Health and Ageing
said in the other place yesterday, Australia
has always punched above its weight in
health and medical research, having pro-
duced no fewer than six Nobel prize winners
in this area.

The Senate may be interested to know that
this investment in medical research has been
warmly welcomed in the community. Dr
Chris Roberts, the Chairman of Research
Australia, described the funding boost for
research as a ‘turning point for Australia’ and
applauded the government for its ‘vision and
commitment’ to the health of all Australians.
The Australian Society for Medical Research
said of the Howard government’s commit-
ment to medical research that ‘the federal
government has demonstrated leadership and
vision’.

The government has also committed an
additional $500 million over four years to
increase funding for health and medical re-
search grants provided through the National
Health and Medical Research Council. The
government will create a new Australian
health and medical research fellowships
scheme to support between 50 and 65 senior
research positions, at a cost of $170 million
over nine years. We will also provide $22
million over four years towards establishing
a national adult stem cell research centre at
Griffith University. I welcome this as a very
special addition for the state of Queensland.

The government will also provide $163
million in grants to medical research facili-
ties for a variety of development and expan-
sion projects. The funding will enable these
research facilities to expand and to improve
their capacity and their reputation for quality
research into the causes, diagnosis and
treatment of disease. This budget builds on
the government’s strong record of support
for medical research, including infrastruc-
ture, and underscores our view that such re-
search is of vital importance. Today’s re-
search will produce tomorrow’s medicines
and technologies, which can bring about
greater health and wellbeing for our fellow
Australians. The government looks forward
to learning of the great advances that our
highly regarded scientific community makes
through this increased support over the years
to come.

Budget 2006-07

Senator MARK BISHOP (2.17 pm)—
My question is to the Minister for Finance
and Administration, Senator Minchin. I refer
to the government’s budget commitment that
Defence will receive a three per cent real
increase in funding each year to 2016. While
this is a welcome announcement to meet the
security challenges facing Australia, what is
the identifiable risk to future defence budgets
from the continuing mismanagement of de-
fence projects? I refer to yet another adverse
Audit Office report into a defence project,
the Tiger helicopter, which is some $276
million over budget. Given the involvement
of Department of Finance and Administra-
tion officials in the defence procurement
processes, and the minister’s responsibility
for budget accountability, what has the min-
ister done to ensure that taxpayers’ money is
not squandered and frittered away?

Senator MINCHIN—Under Senator Hill,
the then Minister for Defence, the govern-
ment initiated the Kinnaird review of the
way in which defence procurement operates.
As a result of that very substantial review,
the DMO has been substantially restructured
and is, in my view and in the government’s view, operating extremely effectively under Stephen Gumley, who was appointed as the head of the DMO as a result of the Kinnaird review.

I think that the DMO has instituted some very major changes to the way procurement is conducted in this country. It is true that Finance has worked closely with Defence, both in that review process and in ensuring that Defence operates as efficiently and as effectively as possible in the very difficult task of managing procurement projects in this country. I do not want to allow any suggestion to float in this chamber that those involved in the DMO are doing anything other than working to their professional best in the service of this country in acquiring the equipment that Defence needs. They are extremely well funded by this government.

Senator Bishop is right to point to a recent audit report in relation to the Tiger acquisition. That is the proper role of the Auditor-General. The Auditor-General is independent and is an extremely good Auditor-General. I strongly supported his appointment—and he is a former Finance officer, as you well know, Senator Bishop. Mr McPhee is doing a very good job, and it is very important that Defence know that Mr McPhee will be all over them with respect to their acquisition projects. I am sure that will bring about a superior performance.

It is a regrettable fact for all finance ministers to observe that nowhere in the Western world, at least, is there perfection in the acquisition of defence materiel. Former Labor ministers, like Senator Ray, will know that no matter what efforts governments make to ensure perfection in acquisition, it is probably unachievable. However, all governments must aim to maximise the cost effectiveness, efficiency and delivery of defence acquisitions. Senator Bishop is quite right to point out that there is a lot of taxpayers’ money at stake.

Through the national security committee, to which I am co-opted when matters pertaining to money are raised—therefore I am there a lot—it is my job, but it is also the job of ministers on the national security committee to hold Defence to account in the acquisition process. We regret whenever there are any slippages in contracts or any unfortunate outcomes in relation to defence acquisition. But I am satisfied that there has been very substantial improvement in the operation of the DMO, and they are delivering the equipment which this country needs to ensure our national security and defence at a time when the defence forces of this country are under extreme pressure—as you know. They are serving in many theatres around the world, and that is putting enormous pressure on the Department of Defence. Despite those pressures, I think that the DMO are operating as well as any defence organisation in the Western world.

Senator MARK BISHOP—Mr President, I ask a supplementary question. Minister, isn’t it true that the failure to deliver the Tiger helicopters is matched by other recent and equally disastrous project failures? For example, the Seasprite helicopters budget has blown out to $2 billion and nearly $1 billion has been spent on the FFG project with nothing to show for it. Isn’t it correct that continuing to have massive overspends will undermine the value of the three per cent real increase in funding each year? When is the government going to accept its responsibilities in managing these projects so that the ADF gets what it needs and taxpayers’ money does not continue to be wasted?

Senator MINCHIN—Of course we accept our responsibilities. That is why we conducted the Kinnaird review of the operation of the DMO. That is why we have insti-
tuted probably the most radical and major changes to the operation of defence acquisition in the history of this country. As I said, the ANAO was critical of the Tiger reconnaissance helicopter project. It made five recommendations. I am advised that the Department of Defence has accepted all those recommendations and will implement them. I am also advised by Defence that it is confident the Tiger helicopter will have very effective capability and that it will meet Army’s operational requirements. But I accept your injunction on the importance of the government holding Defence to account to ensure that it does use taxpayer resources cost-effectively to deliver defence projects.

Senator Faulkner—You’re not responsible, as usual. Blame Defence on this occasion.

The PRESIDENT—Order!

Senator Faulkner—Just blame anybody.

The PRESIDENT—Senator Faulkner, you are only there temporarily; I understand you are moving back down here next—

Senator Faulkner—I hope not!

The PRESIDENT—I hope so!

Senator Faulkner—Far too close to you!

Illegal Fishing

Senator Johnston (2.23 pm)—My question is to the Minister for Fisheries, Forestry and Conservation, Senator Abetz. Will the minister outline the response by stakeholders to the coalition government’s plan to combat illegal fishing in our northern waters? Is the minister aware of any alternative views on this proposal?

Senator Abetz—I thank Senator Johnston for his question and I note his very real interest, along with all colleagues on this side, in stamping out the scourge of illegal fishing of our waters through practical and effective programs. The government’s massive $500 million investment in fighting the war against illegal fishing has not unsurprisingly been welcomed by a number of informed sources. Fishing professionals have been very supportive. Indeed, the Australian Seafood Industry Council issued a press release strongly endorsing our approach. Graham Short, Chief Executive of the Western Australian Fishing Industry Council, said:

The Government is to be congratulated for recognising the extreme and immediate threat that illegal foreign fishing poses for Australia and for matching this with a significant budget allocation to do something about it …

Rob Fish, Chairman of the Northern Territory Seafood Council, said of the package, ‘It’s fantastic.’ Today’s Northern Territory News editorialises, ‘The government is tackling the illegal fishing crisis head on.’

Opposition senators interjecting—

Senator Abetz—Indeed, those opposite interjecting might like to know that even the opposition spokesman, Mr Bevis, issued a press release: ‘Sea rangers support welcome’. That is broad recognition, I would have thought—and those opposite have gone very quiet now, as they should.

But what do we get from state Labor in relation to this? Firstly, the Northern Territory fisheries minister claims that doubling the number of illegal fishing vessels caught this year is ‘simply not enough’, and his Western Australian counterpart, Mr Ford, opined that ‘even a doubling of this figure would still only be a drop in the ocean’. Now, this is the kicker. Listen to this. On 20 April, only three weeks ago, a meeting was held between federal and state officials. On coming into this portfolio, I undertook a visit to the states and territories and agreed that we needed to work together to ensure an outcome that was satisfactory to all. We listened to the states; we took on board what they had to say. What is more, we have actually delivered on what they had to say. Allow me to quote from the
minutes of a meeting on 20 April between the state fisheries experts and the Commonwealth fisheries experts. This is what was agreed: ‘The participants agree to increase resources to provide enforcement at a level that provides an effective economic deterrent for illegal fishing operations through’—and this was the first point—‘doubling the number of apprehensions from 2005 figures.’

So here we are as a Commonwealth listening to the Labor states and territories and delivering for them, only to find that they will put politics before the national interest. What I would invite them to do, after having embarrassed themselves on this occasion, is to come back into the fold again and ensure that we can cooperate with each other, for the benefit of all Australians, to fight this scourge of illegal fishing. My plea to the state and territory governments is: please put the national interest, just for once, ahead of cheap politics.

Australian Technical Colleges

Senator FIELDING (2.28 pm)—My question is to Senator Vanstone, Minister representing the Minister for Vocational and Technical Education. I refer to the government’s election promise to establish 24 technical colleges and recent media reports that some colleges will be scrapped before they are even off the ground. Minister, would you please explain why, as the vocational training minister says, some colleges do not have community support, and why the government is dealing with bidders who cannot satisfy tender requirements?

Senator VANSTONE—I thank Senator Fielding for the question. I have some information here but I am not sure at first glance that it is precisely what you want. I will give you the information and, to the extent that it does not address what you want, I will ask the minister if he has anything he wants to add. The advice that I have is that recent media reports that the ATCs are in crisis and that a number of colleges yet to be announced are in danger of being scrapped is simply not true. The advice I have is that the initiative is progressing very well and we are getting on with the job, and that four of the Australian technical colleges are already open and another is due to open in August this year. The remaining colleges will be opening in 2007 and 2008, as originally anticipated.

This initiative has gone from concept to reality in a very short space of time, and that is because of the significant commitment to it from the community, industry and of course the government. Eleven funding agreements have been signed, with the rest expected to be signed shortly. Local industry and business have been responding because of local skill needs. Local industry, rather than training providers, will be driving the training priorities to ensure that quality training outcomes really are delivered.

Just briefly, some COAG reforms are expected to address any existing barriers to implementing the initiatives in some states, particularly New South Wales and Western Australia. I do not have advice in the material as to what those particular barriers are but, as I say, COAG reforms are expected to resolve that.

In addition, in answer to the question put, it might be worth mentioning that there are some discussions about skill needs in Australia, you will understand, that affect me as the immigration minister. I thought you might like to know, Senator Fielding, that one of the most frequently called upon needs in industry is skilled tradespeople, not necessarily ones having just finished their apprenticeship, but with 10 to 15 years experience. Senator, you might ask yourself who was in government when the people who would have been trained 10 to 15 years ago did not...
get their training. The answer is the people opposite. The current opposition leader, who now promises to ‘skill Australia’ was, in fact, the Minister for Employment, Education and Training when training for trade apprentices was at an all-time low in this country. If there is a skill gap in training in Australia it is the people opposite who are responsible for it. This government has consistently put more money into trade training. This is the government that recognises that only 30 per cent of young Australians go to universities.

Opposition senators interjecting—

The PRESIDENT—Order! Senators on my left—order!

Senator VANSTONE—This is the government that recognises that only 30 per cent of Australians go to university—a very valuable path—but the other 70 per cent are valuable as well. We put a lot of money into making sure that there is trade training, apprenticeships and traineeships, and Senator Kemp’s brother was responsible for a large amount of the extra funding that went in. So there is a black hole in Australia’s skills base and the black hole was created by Mr Beazley.

Senator FIELDING—Mr President, I ask a supplementary question. I thank the minister for the answer. Given that the skills shortage is such an urgent issue and it looks like only four technical colleges have been completed, will there be greater urgency to get the other 20 built faster than is currently planned?

Senator VANSTONE—I do not have direct advice on that but I can assure you, from the material that I have looked at, that of course we want to proceed as rapidly as we can with this initiative of the Australian technical colleges because we perceive the need for there to be more training. I only wish, Senator, that more people on the other side of this chamber took the interest that you do in training young Australians, and that we did not have people on the other side in the other chamber complaining about 13 Chinese welders. It is not because they are welders that they are complaining, it is because they are Chinese, and they are saying that Australians have been laid off in order to keep Chinese welders on. In fact, the Australians who were laid off were casual workers and the Chinese people who were brought in have desperately needed skills for a company that is one of the best training companies in Australia—one of the best. It trains lots of apprentices, has lots of traineeships and employs lots of Australians in Ballarat. (Time expired)

The PRESIDENT—Order! There is too much noise on both sides of the chamber. I ask you to come to order.

Budget 2006-07

Senator CHAPMAN (2.33 pm)—My question is directed to the Leader of the Government in the Senate representing the Minister for Industry, Tourism and Resources. Will the minister inform the Senate of the benefits the federal budget will deliver to industry in Australia?

Senator MINCHIN—I thank Senator Chapman for that question. I will note in passing that there has been some further good news on the economic front for Australia in the last 24 hours with the ASX hitting a new record, with 22,700 new full-time jobs created in the month of April. It has been reported that we have been elevated from ninth to sixth place in the world on the world competitiveness index league table—very good news for Australia.

But the key to strengthening that economic position is to encourage investment and productivity, and I think these are things which the opposition can actually support. One way that the budget has done that is by introducing new incentives for investment in
early stage venture capital so that Australian ingenuity can be commercialised here in Australia. The reforms we announced in the budget are in response to the review we established into venture capital which was led by Mr Brian Watson. And I want to congratulate Mr Watson and his committee on a very good report which we have adopted almost in full.

As a result of that report the government will establish a completely new investment vehicle called the Early Stage Venture Capital Limited Partnership, and such partnerships will be exempt entirely from tax on income and on capital gains. And, of course, that very concessional tax treatment will be subject to the requirements that the fund be no larger than $100 million, that an individual investment be no larger than 30 per cent of the total committed capital and that the assets of the investee company be no larger than $50 million prior to the investment.

This new vehicle, which we estimate will result in foregone revenue when it is up and running of about $10 million per annum, will progressively replace the existing pool development fund arrangements. We are also providing a further $200 million for another round of the Innovation Investment Fund program, and we are amending the operation of the existing venture capital limited partnerships to remove restrictions on the country of residence of investors.

All these measures are part of our plan to boost investment in early stage commercialisation where I think it is widely acknowledged there is currently a gap. We do have a lot of R&D activity in the public sector in particular, and also in the private sector and in a growing and thriving private equity sector but it is focused on more mature businesses. So we do want to get it much more focused on this early stage and that is what this initiative is about. It builds on our previous rounds in the Innovation Investment Fund program, the introduction of the Pre-Seed Fund program in 2001 and the introduction, as I say, of the venture capital limited partnership in 2002. These are very much aimed at the long term. It takes a long time to get a venture capital industry up and running and it has taken the US decades, but they are now bearing the fruits. We need to adopt a similar approach to ensure that innovation in this country benefits from equity capital.

We also announced in the budget a spur to business investment, with $3.7 billion in tax cuts over four years delivered via a boost to the diminishing value method of depreciation for business. Our current growth is clearly being driven by enormous business investment in this country. There is very substantial growth in business investment, which is driving the whole economy. But it is true, as I think is recognised on both sides, that our long-term economic prospects are going to be a function of the extent to which we do boost productivity. That is going to be a function of the extent to which we expand our capital stock and encourage new investment and innovation. That is what the initiatives in the budget on Tuesday were all about.

Oil for Food Program

Senator CHRIS EVANS (2.38 pm)—My question is directed to Senator Minchin, Leader of the Government in the Senate. I refer to the government’s direction in February this year that officials appearing before Senate legislation committees were not to answer questions pertaining to the Australian Wheat Board’s role in the oil for food scandal. Given that the next estimates round commences on 22 May, can the minister advise what direction will be given to public servants in relation to these matters when
questioned by senators about them during proceedings?

Senator MINCHIN—I know it caused the opposition great angst when we advised Senate estimates committees that, given that matters relating to the Australian Wheat Board and the oil for food program with Iraq were subject to a royal commission of inquiry, it was therefore the government’s view that it was not appropriate for ministers or officials to answer questions on that matter at that round of estimates. It is a fact that we made it quite clear at that time that, once the inquiry had reported, of course it would be open to ministers and officials to answer pertinent questions pursuant to the report of the royal commission, if any such questions did arise. The government has not formally considered the matter of the coming round of estimates but I hazard a guess that, given that the royal commission is not reporting until the end of June and that it is the government’s view that we should await that report before this becomes the political football that the Labor Party wishes to make of it, I imagine it may well be the case that the arrangements that pertained at the February estimates may well pertain at the budget estimates.

I make the point that, if one reads the standing orders of the Senate, one notes that the budget estimates are about the appropriations which the government seeks to have approved by the parliament. The agreed methodology over many years is that, rather than debating those matters in the chambers, there is a committee process by which those proposed appropriations are examined by estimates committees. There has been a tolerated flagrant disregard for standing order 26 in the operation of the estimates committees. As a government, we have accepted that that is going to occur. But I have to say that for questions relating to AWB, particularly in light of the fact that there is a royal commission under way and that, certainly in these budget estimates, matters relating to the oil for food program of the UN have absolutely nothing to do with the appropriations that we will be seeking from this parliament, I would have thought it would be better for the opposition to wait until the royal commission has reported.

Senator CHRIS EVANS—Mr President, I ask a supplementary question. I do not intend to debate the issue that Senator Minchin raised in his answer about his interpretation of the role of estimates because I think precedent proves him to be completely wrong. My supplementary question goes to the heart of my previous question, which he did not actually answer. He said it was likely that the gag would be applied again, but I think that out of respect for senators it would be appropriate for the government to advise formally whether that is the case. Certainly on the last occasion senators were not advised but were ambushed with that response, which was obviously taken late in proceedings by the government at cabinet. I would appreciate it if the minister could inform the Senate before it rises today whether or not public servants will be allowed to answer questions directed at them by senators about these matters.

Senator MINCHIN—I note the request of the Leader of the Opposition in the Senate and will report that request to the government. As the government considers the question of the forthcoming estimates, I am sure the government will take note of that request.

Mary River: Proposed Dam

Senator BARTLETT (2.42 pm)—My question is to Senator Abetz, the Minister representing the Minister for the Environment and Heritage. It regards the proposed dam that the Queensland government wishes to construct on the Mary River, south of Gympie. The Mary River, for the minister’s
information, is one of the last natural habitats of the extremely rare lungfish and Mary River cod. The dam would also have downstream effects on the quality of water into the Great Sandy Straits and the Fraser Island world heritage area. As the dam would require the resumption of around 900 rural properties, covering 7½ thousand hectares, and put at risk 10 per cent of the local dairy industry, can the minister assure the people of Queensland that the federal environment minister will meet his responsibility under federal law to ensure that threatened species and all world heritage values are protected? Will the federal environment minister insist that there is a thorough and comprehensive environmental impact assessment, rather than any fast-tracked rush job, where a state government has already indicated its determination to build the dam regardless of the impact?

Senator ABETZ—I was made well aware of this issue some 10 minutes ago, courtesy of Senator Bartlett, and I thank him for that. I can assure him that the Minister for the Environment and Heritage will live up to his responsibilities and he will apply his usual forensic and robust skills in determining whether or not the EPBC Act is impacted on in any way by the proposal. As I understand it, this matter has not been put before the Australian government as yet. I understand that the proponents of the project will need to do so in due course. When that occurs, I have no doubt that the minister will live up to his responsibilities as requested by Senator Bartlett.

Senator BARTLETT—Mr President, I ask a supplementary question. I ask the minister to seek information and report back to the Senate about whether the federal government will insist on the Queensland state government meeting its obligations under the national water strategy and agreement and to indicate that it will not permit any breaches in regard to that if the state government insists on going ahead with such a dam.

Senator ABETZ—I have been requested to seek further information. I will do that and pass on that request to the minister.

Westpoint

Senator WEBBER (2.45 pm)—My question is to the Minister representing the Assistant Treasurer, Senator Coonan. I refer the minister to Tuesday’s budget announcement, which provided significant additional funding to the Australian Securities and Investments Commission for surveillance and enforcement activities. Does the minister recall the Treasurer’s comments that:

An appropriately resourced ASIC will benefit all Australians by maintaining the integrity of Australia’s financial framework and ensuring ongoing confidence in the Australian financial markets.

Doesn’t the fact that ASIC required a 25 per cent increase in funding to be appropriately resourced simply confirm that the Howard government has failed to appropriately resource ASIC to date? How many mum and dad investors could have been protected from schemes like Westpoint if ASIC had, in the Treasurer’s words, been ‘appropriately resourced’ before now?

Senator COONAN—The answer to that is no. Clearly ASIC has been appropriately resourced. Together with all government agencies, from time to time there are bids for additional funds. The government listens to what is required, makes an assessment about what is needed to resource an agency and responds appropriately. Clearly, in the circumstances, ASIC has been appropriately resourced. I certainly take issue with the suggestion implicit in the senator’s question that ASIC’s resources were in any way attributable to any perceived lack of action in the Westpoint matter.

As I mentioned a couple of days ago in relation to this matter, ASIC started investigat-
ing the Westpoint mezzanine financings back in 2002. It is worth reminding the Senate of its main actions that it has taken in relation to this matter. It certainly took steps to attempt to force Westpoint to provide regulated disclosure of information to investors in relation to the mezzanine financings. When direct discussions with the company in 2003 and 2004 failed, it took court action in May 2004. The initial decision by the court was not as conclusive as ASIC wanted, and that is not ASIC’s fault. It therefore appealed against the ruling, and a final ruling is still outstanding. It kept investors informed about court proceedings against Westpoint. An announcement on the case was put up on its website in May 2004. In June 2004, ASIC wrote to each investor in the two mezzanine financing schemes which formed the substance of the court action, informing them about ASIC’s concerns. It started a general campaign in 2003 to warn investors against the risks of investing in high-yield debentures. Warnings of this nature were posted on its website in May 2003 and again in May 2004. A surveillance report on high-yield debenture prospectuses was released in February 2005. The accompanying media release stated that these debentures were risky instruments and that there was no guarantee that investors would get their money back.

It is important to understand that ASIC does not prudentially regulate companies such as Westpoint. I mention that because Senator Webber did mention Westpoint in her question. Westpoint directors were providing statements that Westpoint was solvent as late as 2005. Westpoint auditors were at the same time providing unqualified financial statements for the Westpoint entities. Once ASIC had appropriate evidence in late 2005, it successfully took action to stop Westpoint from operating further. Just recently, it has taken further action to support Westpoint investors, including taking action to trace and secure as many assets as possible for distribution to the Westpoint investors. ASIC has therefore obtained a Federal Court order appointing receivers to the personal assets of the main directors, including those of group founder, Mr Norman Carey, forbidding them from leaving the country and freezing some assets. I do not think it could be said, as has been implied by Senator Webber, that ASIC has not been taking appropriate action in relation to Westpoint. In fact, if you look at what ASIC has done, you will see it has been absolutely exemplary as an agency in what it has undertaken.

Senator WEBBER—Mr President, I ask a supplementary question. Can the minister confirm that part of ASIC’s additional funding will be used for oversight of investment schemes similar to that of the Westpoint property scheme? Isn’t it true that thousands of elderly and retired Australians have lost almost $400 million worth of superannuation and savings in this scheme? Minister, is the reason for ASIC’s failure to take action on Westpoint, despite being advised about its potential shortcomings way back in August 2002 by the Western Australian state government minister, due to a lack of resources provided by your government?

Senator COONAN—Senator Webber is clearly dead wrong in the allegation in her primary question and in her supplementary question. I have spent about four minutes detailing the actions that ASIC has taken. Quite clearly, ASIC is a responsible regulator that will behave in an appropriate way to protect investors where it has a responsibility to do so.

Budget 2006-07

Senator BARNETT (2.51 pm)—My question is to the Minister for the Arts and Sport, the Hon. Senator Kemp. Will the minister update the Senate on the significant benefits of the coalition government and how
it has delivered to arts and sport in this country? Is the minister aware of any alternative policies?

Senator KEMP—I thank Senator Barnett for that very important question. Senator Barnett, I am very happy to acknowledge your longstanding interest in sport and the arts as well—which might come as a surprise to a few people. Senator, your question is greatly appreciated. The Treasurer’s announcements in the budget on Tuesday were very widely welcomed by the arts community and the sports community. We were able to provide significant additional sums of money for arts and sports programs. I will outline some of the very important initiatives that the government undertook. Most senators would have heard from the sports community the great pleasure they had at noting that this year’s budget committed an extra $55.7 million over four years to high-performance sport.

Senator Conroy—Not Carlton then!

Senator KEMP—Senator Conroy, you have kept fairly quiet in recent weeks, and that is very wise in light of some of the difficulties you have had. This is an important question and the sports community are very interested in the way this new money will be divided up. The additional funding will go to the Australian Sports Commission for a range of programs to support talent identification, coaching and sports science programs and to increase the capacity of the Australian Institute of Sport to develop new talent. The total allocation to the Australian Sports Commission in 2006-07 for high-performance sport is approximately $125 million.

If Australia is going to compete as well as we have in the past as we go on to Beijing and then to the Commonwealth Games in Delhi and then of course on to London, it is important that we develop talent and that we provide talent with the best possible support. I congratulate the government, and particularly the Minister for Finance and Administration, on the very strong support that he has given to our sporting system.

Senator Chris Evans—Don’t try groveling now!

The PRESIDENT—Order! This is not a comical question. I ask the chamber to come to order and let the minister answer in some sort of peace.

Senator KEMP—It is quite clear that the Labor Party does not take art or sport seriously. Senator Barnett will be very interested to know that we are providing a total of $67 million in the next financial year for initiatives that offer improved participation in quality sports activities by all Australians. As part of this commitment, the Australian government will invest some $34.2 million for the development and implementation of the Active After-school Communities program. This was announced some time ago by the Prime Minister and has received very strong support from senators on all sides of the chamber.

In relation to the arts, the coalition government once again has delivered more to the arts community than the Labor Party even dreamed to contemplate. This year’s budget provided an unprecedented commitment to the arts community. An additional $100 million approximately has been committed to the arts in this budget, which has been widely supported by the sector. Included in this sum is $31.5 million to enhance the role of Old Parliament House through the creation of a gallery of Australian democracy. The National Library of Australia has benefited and there are a number of other benefits going to orchestras. I do not know whether—(Time expired)
Senator GEORGE CAMPBELL (2.56 pm)—My question is to Senator Vanstone, representing the Minister for Education, Science and Training. I note the minister’s response to the question asked by Senator Fielding, but I ask the minister whether she is aware of the Australian Industry Group’s comments on the budget:

... it is disappointing that more progress has not been made on the big nation-building goals of skills and innovation. Investment in skills, innovation and infrastructure are required to build the competitiveness of Australian business and to assist in rebalancing the economy as the current mineral boom begins to fade.

As the Australian Industry Group has been warning for some time, aren’t skills development and training the prime factors in building the competitive advantage that Australian industry needs on the world stage? Why then has the Howard government continued down the low-skills road with priority for funding of vocational education and training decreasing as a proportion of total Commonwealth expenditures from 0.75 per cent in the current financial year to 0.67 per cent in 2009-10?

The PRESIDENT—Senator Vanstone, I would ask you to answer that particularly long question.

Senator VANSTONE—Thank you, Mr President. Someone on this side—someone with an acid wit—quipped that we could have skills training in reading a clock so that the senator would get his question out in time. But they have probably had a hard day. I do not know who it was who said that—some wit back here, or someone with some sort of wit, anyway.

In response to that question, I am not directly aware of the specific remarks to which Senator George Campbell refers, but I did hear him talk about industry training as a percentage rather than in real terms. For the Senate’s benefit I must remind myself next time we sit to distribute some graphs showing a fall-off in training funding in real terms, a fall-off in commencements in real terms and a fall-off in people in training, which is not only commencements—all of which happened under the previous Labor government. Then Senator George Campbell will be able to see the skills hole or black hole to which I refer.

Nonetheless, the minister has provided me with some information on this matter. The Australian government, of course, welcomes AiG’s report World Class Skills for World Class Industries, which was launched recently. It will contribute to a better understanding of the manufacturing industry and help to stimulate industry and community awareness of the importance of training for national prosperity. The government views investment in education and training as a key priority, and we are contributing $10.1 billion over the next four years to vocational education and training. That is worth repeating for Senator Campbell’s benefit: $10.1 billion over the next four years to vocational and technical education.

The vocational and technical education assistance is focused on providing a flexible responsive system that addresses current and future skill needs and meets the needs of industry, communities and individuals. The Australian government’s National Skills Shortages Strategy is a cooperative approach to tackling industry skill needs, particularly in traditional trades. Projects being implemented, including those for the mining industry and the plastics and chemical industries, are delivering outcomes, including recognition of existing workers’ skills, because that is important—don’t ignore the people that are already there and the skills that they have—and, in particular, enhancement of
their career paths. It is not all about just the people coming on.

The report points out that governments, industry bodies and employers all have an important role to play in developing and delivering quality training. Companies consulted for the study called for an overall increase in the expenditure on all forms of education and training not only from government but from industry itself. The government welcomes the anticipated increase in training expenditure of about 30 per cent during the next three years by most of the companies consulted during the study.

With only 51 per cent of firms surveyed investing in staff training, the report wisely urges employers to commit to their plans to increase training expenditure. Of the employers surveyed in the report, more than two-thirds—actually 68 per cent—viewed training provider services as satisfactory. Many employers reported highly positive experiences with both particular TAFEs and private training providers. The AiG report endorses many of the policy approaches developed by the Australian government, including greater user choice.

The government’s policies have helped to generate strong growth in adult apprenticeships of over 40 per cent in commencements between 2000 and 2005 and a growth of 28 per cent in youth apprenticeships 19 and under over the same period—hardly a dismal story; in fact, quite the opposite.

Senator GEORGE CAMPBELL—Mr President, I ask a supplementary question. If Australian business understands the importance of skills development for Australia’s future, as is clear from AiG’s disappointment at the budget, why then is the government refusing to increase investment in the skills and talents of Australia’s young people? Why is the government’s only answer to the ongoing skills crisis to import an extra 270,000 skilled workers from overseas while turning away 300,000 young Australians from our TAFE colleges?

Senator VANSTONE—Senator Campbell has clearly not read the budget papers, and I direct him to those to look at the extra investment in training. I also remind him that the Australian government has not turned anybody away from TAFE. Each state and territory has responsibility for managing its TAFEs, and the government will provide record funding of $5 billion to the states and territories through the Commonwealth-state agreement for skilling Australia’s workforce 2005-08 to support their training systems. That represents a real increase of 4.1 percent compared to 2004.

We have committed, as I said, $10.1 billion over four years for training. Our election commitments include initiatives to attract and retain people in new apprenticeships. This is the emperor with no clothes. It is this government that has poured money into training for vocational skills. (Time expired)

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Firearms

Senator ELLISON (Western Australia—Minister for Justice and Customs) (3.03 pm)—Yesterday I was asked a question by Senator Bob Brown in relation to gun control. I undertook to provide further information to the Senate. I do that now. Contained in that is a recent report from the Australian Institute of Criminology.

The document read as follows—
Council of Australian Governments’ Communiqué
6 December 2002
The Council of Australian Governments (COAG) held its 12th meeting today in Canberra. The Council, comprising the Prime Minister, Premiers and Chief Ministers and the President of the Australian Local Government Association, had detailed discussions on significant areas of national interest.
This Communiqué sets out the agreed outcomes of the discussions.

Handguns
COAG agreed on a national approach to restrict the availability and use of handguns, particularly concealable weapons. The agreement will result in a major reduction in the number of handguns in the community and will significantly strengthen controls over access to handguns.
COAG endorsed the 28 resolutions made by the Australasian Police Ministers Council (APMC) and agreed that legislative and administrative measures to implement the resolutions should be in place by 30 June 2003. The resolutions include:

- a system of graduated access to handguns for legitimate sporting shooters, based on training, experience and event participation;
- giving shooting clubs greater access to information by requiring a prospective member to produce a police clearance prior to acceptance as a member, information on other shooting clubs a person belongs to, and their current ownership of firearms;
- more stringent requirements to prevent club shopping by potential members of gun clubs, including better access for clubs to information from licensing authorities; and
- allowing the Commissioner of Police in each jurisdiction, subject to appropriate safeguards, to refuse and revoke firearms licences and applications on the basis of criminal intelligence and other relevant information.

COAG agreed to restrict the classes of legal handguns that can be imported or possessed for sporting purposes to those meeting recognised sporting shooter classifications in the Olympic and Commonwealth Games and other accredited events.
COAG noted the proposals of the APMC but agreed that handguns will be limited to a maximum of .38” calibre (except for specially accredited sporting events where handguns up to .45” calibre will be permitted—details will be considered by Commonwealth, State and Territory authorities as a matter of urgency, with final arrangements to be agreed by COAG).
COAG noted the importance of removing easily concealable handguns from the community. As a result, COAG agreed that semi-automatic handguns with a barrel length of less than 120mm and revolvers and single shot handguns with a barrel length of less than 100mm will be prohibited. Highly specialised target pistols, some of which will have a barrel length of less than 120mm will be allowed. These types of pistols are large, visually distinctive and not readily concealable due to their overall size.
COAG also agreed that reducing the number of handguns held legally in the community should be accompanied by a compensation scheme for licensees who are compelled to hand in handguns, operating from 1 July 2003 until 1 January 2004. The cost of funding the compensation scheme will be funded firstly from $15 million remaining from the 1996 firearms buy-back funds and then shared on a two-thirds: one-third basis between the Commonwealth and the States and Territories, for the handguns prohibited and returned in each jurisdiction.
COAG agreed that an amnesty will be in force from 1 July 2003 until 1 January 2004, during which time owners of illegally held handguns can surrender those weapons to authorities without incurring a criminal penalty for possession of that weapon. Commonwealth, State and Territory authorities are to ensure that the buy-back arrangements are not able to be exploited.
COAG agreed that the States and Territories would introduce necessary legislation as a priority and there will be ongoing consultation between Police Ministers on arrangements for the buy-
back and amnesty. COAG will agree the final arrangements for the national approach. Progress on both legislation and arrangements will be reported at the next meeting of COAG

COAG Agreement on Handguns—Matters

Agreed Out of Session

1. “Specially accredited sporting events” where handgun up to .45” calibre permitted

The majority of States and Territories have agreed that handguns of up to .45” calibre will only be permitted in the events of:

- Metallic Silhouette
- Single (or Western) Action

2. Payment of compensation for non-prohibited handguns for sporting shooters retiring from the sport

States and Territories will accept and pay compensation for non-prohibited handguns. Commonwealth will fully reimburse jurisdictions for compensation paid.

3. Compensation for Shooters

Retail price according to condition and age of handgun

4. Compensation for Dealers and Importers

Compensation for dealers to be based on wholesale price plus 10%; for importers compensation will be the declared Customs value plus 20%.

5. Compensation for historical collectors

Historical collectors unable to meet the “student of arms” requirement and compelled to surrender handgun collection will be compensated. Commonwealth will fully reimburse jurisdictions for compensation paid.

6. Parts and accessories eligible for compensation

Shooters: Major parts and accessories attributable to the prohibited handgun. Dealers: Major and minor parts and commercial ammunition that cannot be interchanged with non-prohibited handguns

7. Unregistered handguns ineligible for compensation

Compensation should not be paid for unregistered handguns surrendered during amnesty.

8. Exemption of black powder firearms from prohibition and limitation of handguns to 10 shot capacity

Both matters reflect COAG’s intention and confirmed out of session.

Budget 2006-07

Senator COONAN (New South Wales—Minister for Communications, Information Technology and the Arts) (3.03 pm)—In response to a question from Senator Sherry yesterday, the Minister for Revenue and Assistant Treasurer has provided some additional information, and it is this: it is not possible to give the revenue collected for 2005-06 on end benefits taxes as it will not be known until some time after 30 June 2006. The estimated impact on the fiscal balance of the proposals is included in the document A plan to simplify and streamline superannuation—that is a booklet that I have in my hand.

Senator Sherry—Where is it?


Senator SHERRY (Tasmania) (3.04 pm)—by leave—I move:

That the Senate take note of the further answer given by the Minister for Communications, Information Technology and the Arts (Senator Coonan) to a question without notice asked by me on 10 May 2006 relating to the 2006-07 Budget and to superannuation and the end benefits tax.

Just briefly, I have read that booklet that the minister has referred to. It gives a gross or aggregate figure as to the changes that were announced in the budget but it does not provide the information that I sought in respect to revenue figures from the exit tax. The minister’s response from the Assistant Treasurer is disingenuous, inaccurate and highly misleading.

Senator Chris Evans—Mr President, I rise on a point of order. Is it competent for the minister to leave the chamber when Senator Sherry was following up on her an-
The answer seeking the information he requested? It seems to me the height of arrogance for the minister to walk out while Senator Sherry was seeking to gain that information from her, which was not provided in her original answer.

The PRESIDENT—I thought he was seeking leave to make a comment on the minister’s answer. I did not believe he was asking another question. I think the Hansard will show his query and I am sure the minister will have it brought to her attention.

Question agreed to.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS
Answers to Questions

Senator HURLEY (South Australia) (3.05 pm)—I move:

That the Senate take note of the answers given by ministers to questions without notice asked today.

In particular, I refer to the question asked by Senator George Campbell to the Minister for Immigration and Multicultural Affairs representing the Minister for Education, Science and Training. I think it was a very lacklustre response to a very important issue in the budget about pensions and particularly about skills training in today’s question time. This has been a golden period for Australia. Our terms of trade are the best they have been for many decades and commodity prices are underpinning a booming economy. The commodities driving this are principally resources commodities, which are in great demand from the rising economies in China and India. Our agricultural commodities, however, are a bit patchier and are a useful reminder of the cyclical nature of commodities booms.

Australia has taken advantage of the good times, and this has been possible because of some far-sighted changes in the structure of the economy set up by the Hawke and Keating governments in the 1980s and 1990s. The Howard government that has followed has proved to be a good manager of the accounts but a disappointing leader of economic change. This period is opportune for us to set in place the economic conditions that will see us through the next cycle of downturn and upswing. This is where the 2006 budget has been a signal failure and part of a string of failures by the Howard government.

There is no doubt about it—this is the time to invest in people and in infrastructure. I think it is the biggest signal failure of this government that it is neglecting people in the areas of education, training and industrial relations. No doubt, the leader of the Labor Party, Mr Kim Beazley, will expand on this in his budget reply tonight. But I would like to talk about one example I encountered recently which illustrates, in the form of an anecdote, the way the government is failing to pay adequate attention to traineeships. The minister can reel off figures all she likes, but this is what is happening on the ground. I received a letter from a man who was concerned about a young man in the Gawler area who wanted to do an autoelectrical apprenticeship. He graduated from year 12 last year, contacted the Motor Trades Association about the autoelectrical apprenticeship and is very keen to start. He was told—and this was confirmed to me by the Motor Trades Association apprenticeship group—that 800 to 900 applications are received every year from people wishing to be apprentices, and only 230 positions are found for those people.

Here we have a country that is crying out for apprentices. Even assuming that some of those inquiries are not genuine, we have large numbers of young people wishing to take on apprenticeships, and yet there are not sufficient positions for them to take up. This
is an appalling situation. The Motor Trades Association’s response to this was that this young man should just keep trying. He was told that there were about six to eight auto-electrical apprenticeships given every year, and that he should just sit there and wait until he was contacted. I did not think this was good enough and contacted a number of people who are in the business of assisting apprenticeships, including a union based organisation in the south of Adelaide that I visited with Kim Beazley, and they were most helpful. I then contacted the Service to Youth Council, and they also provided advice and encouragement about where he should go now.

This is the kind of thing that is happening as a result of the government’s neglect of training and skills based apprenticeships. People who want to take on these roles and want to be part of our booming economy are being blocked from doing so because insufficient attention has been paid to the pathways from schools through to appropriate skills training or other tertiary training, because the government has also neglected that area. But this is an appalling waste. (Time expired)

Senator ADAMS (Western Australia) (3.11 pm)—I rise to take note of answers given by Senator Kemp. I would like to speak about the Welfare to Work reforms and the effect of Welfare to Work on families and children. The Welfare to Work reforms are aimed at helping parents to enter the workforce and providing support services to encourage increased economic and social participation. The best form of welfare for families is a job, and the positive role models of working parents will always be good for children.

Changes to income support arrangements, participation requirements and employment services will support parents of school aged children to become less dependent on welfare and to participate in the workforce. There will be more practical support to parents to help them prepare for employment and to assist with child care, including 84,300 extra outside school hours care places, 2,500 extra family day care places and 1,000 extra in-home care places. Parents will not be required to accept a job offer if they have a good reason for declining, such as suitable child care not being available or if the cost of care would result in a very low or negative financial gain from working.

From 1 July 2006, all parents on income support whose youngest child is aged six or over will have an obligation based on their capacity to seek part-time work of at least 15 hours per week. Parents receiving parenting payment prior to July 2006 will be able to remain on parenting payment until their current entitlement expires—that is, until their youngest child turns 16. Existing recipients of parenting payment will have a 12-month grace period before new obligations commence, with their obligation commencing from the latter of 1 July 2007 or their youngest child’s seventh birthday. If these parents go off parenting payment for more than 12 weeks and need to reapply for income support after 1 July 2006, they will be treated as new applicants.

Parents applying for an income support payment on or after 1 July 2006 will receive parenting payment until their youngest child is six years old for partnered parents and eight years old for single parents. Single parents on Newstart or youth allowance will also be eligible for pharmaceutical allowance, pensioner concession cards and telephone allowance. Parents newly claiming income support whose youngest child is aged from six to 15 will be required to work part time, search for part-time work or undertake suitable activities to prepare them to return to work. Requirements will be tailored to the individual and family circumstances. Single
parents receiving Newstart allowance who are suitably involved in providing and supervising home schooling or distance education, who have large families—four or more children between the ages of six and 15—or who are active and registered foster carers will receive Newstart allowance at an amount always equal to parenting payment single. This higher rate of payment recognises that some single parents are involved in significant ongoing tasks over and above the normal tasks associated with parenting and other caring responsibilities.

Parents, both partnered and single, who are involved in home schooling, distant education or foster caring will also receive automatic exemptions from participation requirements. Parents in these groups will still be able to access the full range of employment services on a voluntary basis, including the new service, Employment Preparation.

I would also like to speak about the claims that single mothers will not benefit from work and that changes announced in the budget are unlikely to encourage women to enter the workforce. Mothers moving from welfare to work benefit enormously from working. The budget provides even more incentives for mothers to re-enter the workforce. A mother in part-time work can get up to $365 per year extra due to the increase in the low-income tax offset. If she has three children, she will now be eligible for the large family supplement of an extra $248 per year. Mothers will also benefit by the increase in the lower income threshold level to $40,000 to receive full rate family tax benefit part A, up from $33,361. (Time expired)

Senator STEPHENS (New South Wales) (3.16 pm)—I too would like to take note of the answers to questions today, particularly those answers to questions around the budget, and to reflect a little on the lack of any evidence or information about the impacts of this year’s budget on regional Australia. The question that was asked of Senator Vanstone about the Australian technical colleges was in fact a very interesting one, because, as Senator Hurley said earlier, the issue of regional skills development, regional training and regional opportunities for young people is something that is severely lacking in this budget.

Let me focus on a few of the things that were not in the budget. First of all, the Treasurer did not mention regional Australia once in his budget speech. It seems that regional Australians really are the losers from the budget speech the other night. Let us think about the increase in petrol taxes that are to be experienced by everyone in regional Australia when the Fuel Sales Grant Scheme is abolished on 1 July. Petrol prices in regional Australia will increase by an average of three per cent from 1 July. That is certainly not something that was factored into the budget the other evening. The Prime Minister and the Treasurer both say that the tax cuts will compensate for rising petrol prices, but of course that is not really going to be the case. In six weeks time, we are going to see a significant price hike for petrol in regional Australia.

We did not hear very much about regional universities in the budget. Even Senator Joyce is concerned about the meagre compensation for regional universities in this budget. Just think about the way student activities and student funding have been cut. Student services in regional universities across Australia get a meagre $10 million to try and compensate for the services that have disappeared under the VSU legislation.

They are two of the factors that are really bothering me, but the real issue for me in this budget is regional health services. When I looked very carefully at what is in the budget...
for regional Australia, I found that there is nothing to demonstrate a commitment to regional health. There is nothing for new doctors and nurses. The Southern Area Health Service where I live in regional New South Wales has experienced a shortage of nurses—of course, it is a global shortage—and that has required New South Wales Health to attract overseas nurses and pay them an extraordinary rate. They are all agency nurses. They have to be paid well above the award on a contract rate and the area health service has to pay additional costs to the agency. And, of course, when these nurses finish their short-term placements in the hospitals and with the area health services, the result is that we are seeing a huge turnover of staff. That really is not a very effective way of delivering health services.

We have seen that the government is planning to sell off Medibank Private. There will be fewer branches in regional towns, higher insurance premiums for people with private health insurance and no net gains for regional communities anywhere. Where is the investment anywhere in regional communities for a regional future? Where is the investment in regional infrastructure to provide a vision for the long term? Where is the investment in regional capacity? Absolutely nowhere. It is a disappointing budget all round. I think we will see that responded to this evening by the Leader of the Opposition, Kim Beazley.

Senator PARRY (Tasmania) (3.20 pm)—I also rise to take note of the answers in question time today, in particular the answers of Senator Kemp. Like the minister, I welcome the initiatives and the provisions for older Australians in this year’s budget. Prior to addressing my remarks to Senator Kemp’s answers, I would like to respond to the previous speaker. Senator Stephens indicated that regional Australia has been largely ignored. That is a furphy. It is totally incorrect. If I could quote from today’s edition of the Advocate newspaper from my home electorate of Braddon in north-west Tasmania. In that electorate, we have more than 12,000 pensioners who will benefit greatly from this budget, but from a very strong regional perspective. The editorial in the Advocate newspaper says:

Peter Costello’s rivers of gold have been flowing back into the taxpayer for some time and Tuesday night’s effort could be described as a flood. One of the good things about the budget was that most of the spending was sensibly targeted. One great result was eliminating tax on superannuation benefits for people 60 and over.

Without reading it all, the editorial concludes:

The local economy and the majority of the public will benefit from the budget.

This is from a regional newspaper in regional Australia in the electorate of Braddon.

Security for older Australians is a particular strong point of this budget. A fairer assets test has been added. It is proposed to reduce the pension assets test taper rate to $1.50 per fortnight for every $1,000 of assets above the free area. This will come in from 20 September 2007. Based upon the current age pension, a single retiree home owner could have around an additional $165,000 worth of assets before losing the age pension. I know that has been welcomed in wide areas of Australia. Also, a couple on a couple pension could have around $275,000 worth of additional assets. Further provisions provide for tax relief so that those who are eligible for the senior Australians tax offset will pay no tax on their annual income up to $24,867 for singles, and for couples that is increased to $41,360. These are tremendous provisions looking after older Australians, as we always do as a coalition government.
There will be further assistance to older Australians with the cost of utilities. In the electorate of Braddon, where my home base is, 12,000 pensioners will benefit from this utilities assistance. In 2005, we as a coalition introduced a utilities allowance for age pensioners, while a seniors concession allowance was introduced for certain self-funded retirees who do not get pensioner concessions. This year an additional one-off payment of $102.80 will be provided to each household with a person of age or service pension age eligible for that allowance. The $102 payment will also be provided to each self-funded retiree who is eligible for seniors concession allowance. The eligibility for the utilities allowance will be extended to recipients of mature age allowance, partner allowance and widow allowance. This payment will be made by 30 June 2006, so in a matter of weeks those older Australians will be receiving that one-off payment.

Supporting older Australians has certainly been a strong priority of the coalition. The strong budget provision makes allowance again for our older Australians, many of whom have supported us as we have come up through society, as we have been raised in our families and in our communities. It is only fitting and proper for a government of any nature to look after and support our mature Australians. I am proud to say that the budget this year, apart from taking care of older Australians, looks after every person within the community. There would be very few, in particular among the more mature members of our society, who could argue that this budget has not affected them positively in one way or another. People who require assistance in any way, shape or form in relation to interpreting the budget should feel free to contact any coalition senator or member in their home electorate or home state, and we will be most pleased to go over the provisions and the benefits of the budget.

(Time expired)

Senator POLLEY (Tasmania) (3.25 pm)—I rise to take note of the answers from government senators to questions about the budget—or should I say the lack of answers, which I am growing used to and I find quite disappointing. I would like to reiterate some comments that were made by my colleagues during the debate on motions to take note of answers yesterday. Labor has already stated that it will support the changes to tax and family payments that are contained within the budget. These are certainly long overdue and something that Labor has long supported. However, the government has forgotten many people in this budget. The government says that Labor is nitpicking and desperate because we draw attention to the areas that Mr Costello and Mr Howard have continued to ignore. If it is nitpicking to want to ensure that the truth is known about what is missing in this budget and who has been left out—and there are a great deal of them—then I guess we are.

Isn’t it funny that the Treasurer, Mr Costello, and the Prime Minister, Mr Howard, have spent the last few days selling the attributes of the budget, namely tax cuts? Mr Costello and Mr Howard are very quick to point out that they are handing out $39 billion in tax cuts. But the problem is that for the majority of people this will equate to less than $10 a week. Labor’s concern about this budget is the people that the government has forgotten—the people who will not benefit from the tax cuts, the people earning less than $10,000 a year, the people on disability support pensions and single parents.

The government has made much of the fact that it will create an extra 25,000 childcare places by 2009, bringing the total number in Australia to 700,000 by that year. But what about the affordability of child care?
The government has also forgotten those people who are waiting to have their teeth fixed. There are more than 650,000 people in Australia currently waiting for dental care, and still the government has not reinstated the Commonwealth Dental Health Program. In this budget, the government has forgotten thousands of Australians, and the sad thing is that it is these forgotten people who need help most—which is in stark contrast to the comments of the previous speaker.

Furthermore, it is the poor, the people who are living on the poverty line, the single mothers, who have to make a choice between staying on benefits and surviving or going back to work, putting the kids in child care and working for absolutely nothing. In fact, women have almost been forgotten in this budget altogether. There are no incentives to improve pay equity. There are no solutions to better the quality of child care. There are no family-friendly work incentives such as those outlined in the Australian Industrial Relations Commission’s family provisions test case. There is no national plan to combat violence against women.

On top of that, there is no investment in skills or training. There is no plan for health care reform. There is no investment in the health care workforce to ensure that health care professionals are where they are needed most, such as in the regional areas of Tasmania. There is no plan to reform relationships between the Commonwealth and the states. But even for those whom the government would like us to believe they are helping—those people who will be fortunate enough to receive some kind of tax cut, no matter how small—daily life is still a struggle.

The government have made it no secret that they believe they are the reason for the low interest rates in this country. I would like the government to think about one point: why are Australians now so scared of interest rates? It is because they have stretched themselves so far to afford their mortgages, which are now at record highs. It is because the average person now has more personal debt than ever before. It is because the new IR laws threaten workers’ jobs, lower workers’ wages and terrorise their livelihoods. And it is because ever-increasing petrol prices and child-care costs and a rise in the cost of living keep everyone scared. All these factors combined mean that the average Australian is almost too scared to watch the news every morning for fear of the further hits they will receive at the hands of this government. The government remind us again and again of what a great deed they are doing by offering Australians tax cuts, but what use are these tax cuts to average Australians when it is a daily fight just to keep their heads above water?

Senator BARTLETT (Queensland) (3.30 pm)—I would like to take note of the answer to the question I asked of the Minister representing the Minister for the Environment and Heritage regarding the proposal by the Queensland government to build a dam on the Mary River just south of Gympie. The aspect that I particularly want to emphasise in regard to the answer is that there is a legal obligation on the federal environment minister to ensure that no proposal, particularly a major proposal or activity, will impact negatively on the species that are recognised as endangered or on World Heritage values. There are a number of other matters, but certainly those two are particularly relevant for this proposed dam.

I make the point of emphasising the responsibility of the federal environment minister here in part because the Premier of Queensland, Mr Beattie, has made a number of statements indicating the determination of his government to go ahead with building this regardless of public opposition and concerns about it. He gives every indication to
me of simply being absolutely determined to build this for political reasons, to show that his government is acting in regard to water issues. Water is certainly an important issue in south-east Queensland. I am well aware of that, as is virtually everybody that lives in that region. But the simple fact is that Queensland, economically, environmentally and socially, has been damaged in the past by dams and related big infrastructure projects being built predominantly for political purposes. It is very disappointing, disheartening and concerning to see the potential for this to happen again. Clearly a political need is very heavily influencing the attitude of the Queensland government.

The call I make to the federal environment minister and note in response to the commitment given by the person representing him today in the Senate, Senator Abetz, is to ensure that he lives up to his responsibilities under the federal environment act. It is not just a power that he has to use if he feels like it; it is actually a legal responsibility of his to determine that a particular action will not unduly affect endangered species or World Heritage values. Once this project, as it inevitably will be, is recognised as a project that triggers obligations under the federal environment act, he will need to ensure that there is a full and proper environmental impact assessment. Again, from the statements made, particularly by Premier Beattie, there is a real concern that the desire of the Queensland government is not to do that but to basically do a fast-track assessment to get on with starting construction as quickly as possible.

I focus on the environmental aspects here because that is the area where there is a clear federal responsibility to act. The federal environment minister has acted somewhat controversially in regard to a wind farm development in Victoria because of the endangered species the orange-bellied parrot. The lungfish and the cod in the Mary River do not have orange bellies as far as I know but they are certainly endangered, and this is one of their last remaining habitats. It is very important that that is not put at risk.

There are wider consequences. This will have downstream consequences that will significantly impact on recreational and commercial fishers in the region because of its impact on fish breeding grounds. It will certainly have economic impacts in the region because at least 900 rural properties covering about 7,600 hectares will be resumed. The Queensland dairy industry has indicated that around 10 per cent of the local dairy industry in the Gympie region will be removed from productivity, which will have a significant flow-on effect. There is also the impact on those that are removed from their homes and on the towns that are affected. There will be the cost of resumptions, which, there have been suggestions, may be as much as $1 billion, and the probable redirecting and rebuilding of the Bruce Highway, part of which will be inundated if the dam is put where it is suggested is most likely. Again, that would be enormously expensive. This is going to be a massive expenditure just to be seen to be doing something that, from everything that history can show us, is far from certain to fix the water problems in south-east Queensland anyway.

Question agreed to.

CONDOLENCES

Mr Adrian Frank Bennett

The DEPUTY PRESIDENT (3.36 pm)—It is with deep regret that I inform the Senate of the death on 9 May 2006, of Adrian Frank Bennett, a former member of the House of Representatives for the division of Swan, Western Australia, from 1969 to 1975.
COMMITTEES
Legal and Constitutional Legislation Committee
Report: Government Response

Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Finance and Administration) (3.36 pm)—I present the government’s response to the report of the Legal and Constitutional Legislation Committee on its inquiry into the provisions of the Family Law Amendment (Shared Parental Responsibility) Bill 2006, and seek leave to incorporate the document in Hansard.

Leave granted.

The response read as follows—


Recommendation 1—The Committee recommends that there be a definition of ‘equal shared parental responsibility’ in the bill

Response

The Government does not accept this recommendation. The Government notes that parental responsibility is already defined in section 61B of the Family Law Act 1975 to mean, in relation to a child, all of the duties, powers, responsibilities and authorities, which by law, parents have in relation to children.

This definition relies on the common law and statute law which are not static. In addition, the amount and type of parental responsibility depends on the age and needs of the child. Parental responsibility changes as the child develops their own capacity and views. Given the complexities, the Government feels that it is inappropriate to further define parental responsibility. The precise content will be dependent on the fact situation. To attempt to define the term would run the risk of missing some aspect and of setting in stone a concept that is dynamic and changes as the age and circumstances of the child changes.

New section 65DAC makes clear that where a parenting order provides for the sharing of parental responsibilities this means decisions about major long term issues in relation to a child must be made jointly by those persons. The provision requires each person to consult and make a genuine effort to come to a joint decision about that issue. There is also a definition of major long term issues included in the bill.

The term ‘equal’ reflects the Government’s view that the presumption should be that neither parent has a lesser or ‘token’ responsibility in respect of the child. The individual circumstances of particular cases will likely lead to different mechanisms by which parental responsibility will be shared. Accordingly, the Government considers that the legislative intent conveyed by the use of the term ‘equal’ should not be further codified.

The presumption of equal shared parental responsibility is a significant change from the current law which will mean that as a starting point courts will have to adopt a rebuttable presumption that parents will have an equal role in making major long term decisions about a child. The effect of the new provisions will be monitored on an ongoing basis.

Recommendation 2—The relationship between the considerations in proposed subsections 60CC(2) and (3) be clarified in the bill.

Response

The Government does not accept this recommendation. The Government notes that the Explanatory Memorandum accompanying the bill already explains the relationship between the two tiers of factors that must be considered in determining the best interests of the child.

The House of Representatives Standing Committee on Legal and Constitutional Affairs in its report on the exposure draft of the bill noted that the ‘primary factors do draw appropriate attention to the objects provisions in a positive way and will assist to focus the attention of the court to those objects particularly in relocation cases’.

The primary considerations of the right of children to know their parents and to be protected from harm mirrors the two new objects of Part VII of the Family Law Act 1975. These factors have been elevated as they deal with important
rights of children and will encourage a child-focused approach to assessment of best interests. Both considerations are of equal weight. The safety of a child is not intended to be subordinate to the child’s meaningful relationship with both parents. Both factors are important and will be considered in light of the circumstances of the individual case. Where there is family violence then this factor will have particular relevance. In cases not involving issues of safety this factor will be less relevant and the benefit of a meaningful relationship will be more relevant.

There may be some instances where the court gives greater weight to the additional factors over the primary factors. While this is clear from the Explanatory Memorandum, the Government is concerned that any further steps to codify this point might undermine the legislative intent that, in general, the primary factors will be the most important.

Recommendation 3—Subsections 60CC(4) and (4A) should be amended to make it clear that a court should consider a parent’s pre and post separation conduct and circumstances. The revised provisions should use appropriate terminology for the pre-separation conduct and considerations, and avoid using post separation terminology such as ‘the parent’s obligation to maintain a child’. The revised provisions should also direct the court that while pre-separation considerations are important, the focus should be on determining the child’s best interests in relation to a parent’s present and future conduct and circumstances.

Response
The Government does not accept this recommendation. The Government amendment introduced in the House of Representatives makes it clear that the Government’s intention is that the focus of this provision is on post-separation rather than pre-separation parenting. However, the provision has been drafted not to preclude situations where ‘separation’ is an irrelevant concept (such as where the parents have never lived together). The drafting in terms of post-separation terminology is a deliberate means to ensure that the primary focus is on post-separation parenting.

Recommendation 4—That the Government undertake a review of the application of provisions which may operate to exclude the Court’s consideration in situations where consent orders are lodged by the parties.

Response
This recommendation is accepted. The Government agrees to review this issue as the reforms are implemented. The Government believes that with the significantly expanded support services that will be available to parents in the future, parents will be able to be much better informed on issues to consider when entering into consent orders.

Recommendation 5—The proposed definition of family violence should be redrafted to clarify that the test is the ‘reasonable person in the shoes of the individual and whether they would fear or have an apprehension of violence’.

Response
This recommendation is accepted. It is proposed that a note be inserted in the legislation to make clear that when determining what is a reasonable apprehension or fear of violence that the court takes account of the individual circumstances of the person who is said to have the reasonable apprehension or fear.

While the amendment does not alter the legal effect of the provision, the Government believes it may assist some self-represented litigants to understand the provision, particularly in light of the unfortunate attempts by some persons to misrepresent the effect of the change to the definition of family violence.

Recommendation 6—The Government should use the results of the Australian Institute of Family Studies research it has commissioned into family violence and, if necessary, review definitions of family violence in family law proceedings.

Response
This recommendation is accepted. The research commissioned by the Australian Institute of Family Studies into family violence is primarily focussed on examination of developing strategies to improve court processes rather than focussing on legislative definitions. However, as part of the Family Law Violence Strategy the Attorney-General has undertaken to meet with States and
Territories to seek their support to work collaboratively to ensure better coordination between the Commonwealth family law system and State and Territory systems. As part of this process the impact of different definitions in different jurisdictions will be examined.

**Recommendation 7**—Proposed section 117AB should be removed from the bill pending any relevant results from the Australian Institute of Family Studies research into the prevalence of false allegations of family violence in family law proceedings.

**Response**
The Government does not accept this recommendation. The Government believes that, regardless of the frequency of false allegations and statements in family law proceedings, any occurrences should be penalised. The test is restricted to situations where the false statement has been ‘knowingly made’. In such circumstances it is appropriate that costs be incurred and courts already routinely make such orders in these circumstances.

The research being conducted by the Australian Institute of Family Studies into family violence is primarily focussed on developing strategies to improve court processes. It is true that the research will also attempt to quantify the frequency of false allegations. However, irrespective of the prevalence of false allegations or statements, the Government believes that in those cases which are shown to exist, this is an appropriate measure.

**Recommendation 8**—That the Government undertake the necessary consultation with service providers in rural, regional, remote and very remote areas to ensure that adequate funds are allocated for the provision of dispute resolution services in those areas. Further, where video-link or telecommunications are to be used to provide dispute resolution services, the Government is to ensure that adequate funds are provided so that parties are given the opportunity to have an initial face-to-face outreach service.

**Response**
This recommendation is accepted in relation to consultation with service providers. The Government has already undertaken consultation with service providers in rural, regional and remote areas in developing the final package of reforms and the service delivery models for Family Relationship Centres. This included teleconferences and face-to-face consultations with a wide range of service providers in rural and remote locations to discuss the particular difficulties and funding needs in providing family relationship services in these regions. Those consultations were the basis upon which resource levels for these services were estimated.

Additional consultations will be held in Alice Springs and Mt Isa in May 2006 to further identify service delivery issues in remote locations covered by the first 15 Centres.

In relation to funding for services, the package of reforms to the family law system announced by the Government recognised the needs of Australians in rural, regional and remote areas. All Family Relationship Centres with rural and regional communities in their catchment areas are required to provide outreach services to those areas. Around half of the 65 Centres fall within this category. Funding allocated to these Centres takes into account the need for face-to-face service delivery to regional areas. Centres may also use alternative means of communication, such as telephone, video or Internet to complement face-to-face services.

The Government is also introducing a range of other measures to assist rural, regional and remote communities including:

- six new dispute resolution services to be established in 2006-07 to address gaps identified in high need regional areas in Australia
- additional funding to enable Centres to engage advisers to work with Indigenous communities to help them access the Centres and other services, and
- the Family Relationship Advice Line which will provide a free national 1800 number for people who cannot access a Family Relationship Centre or who prefer to use the telephone. The Advice Line services will comprise the assessment of a caller’s needs, provision of information and referral to appropriate services, advice on parenting arrange-
ments after separation and simple legal advice on family law issues.

**Recommendation 9**—Where parties are in a location which prevents them from attending an FRC, the first three hours of dispute resolution is provided to those parties free of charge, regardless of who provides the dispute resolution service.

**Response**
The Government notes the Committee’s recommendation. The Government’s family law reform package provided additional funding for additional dispute resolution services in addition to the establishment of the 65 Family Relationship Centres (of which around half will be located in regional locations).
The Government will spend $13.4 million expanding dispute resolution services (such as mediation). Six new services will be established in 2006-07 in regional locations bringing the total number of dispute resolution services funded under the Government’s Family Relationship Services Program (FRSP) to 135 services. Almost half of these services are in rural or remote areas.
These services are required to provide access for people on low incomes. Any fees must take into account the ability of the client to pay which means that in many cases services are provided free of charge.
The Government will monitor the incidence of parties in remote locations needing to pay fees from providers other than Family Relationship Centres in the context of compulsory dispute resolution.

**Recommendation 10**—That the Department immediately undertake a comprehensive analysis of the cost implications on current litigants, future litigants and the courts on maintaining two regimes for a period of three years for the determination of Part VII applications.

**Response**
This recommendation is accepted. The bill will be amended to remove the need for there to be two regimes.

Government amendments 2 - 4 address concerns that the bill would not apply to court applications made prior to the commencement of the bill. These Government amendments provide that the key provisions in Schedule 1, which change the way courts approach parenting orders, will apply to all parenting orders made on or after commencement, regardless of whether the proceedings were initiated before commencement or not. They aim to reduce the length of time that there will two sets of laws applying to family law proceedings.
The Government considers that these amendments strike the appropriate balance between ensuring uniformity and not unduly disadvantaging existing litigants. The period between passage of the bill through the Senate at the end of March and commencement by proclamation expected to be 1 July 2006, will mean that existing litigants will have appropriate notice of the proposed changes to the legislation prior to commencement.

**Recommendation 11**—That the Attorney-General’s Department develop and implement a comprehensive public information campaign to inform people of the impact of the amendments in the bill on existing parenting orders.

**Response**
This recommendation is accepted. The family law reform package announced as part of the 2005-06 Budget includes joint funding of $5.7 million over two years to develop and implement a community education campaign to raise awareness of changes to the law and the reforms to the family law system.
This education campaign will include information on the impact of the legislative changes on existing parenting orders.

**Recommendation 12**—In the event of an increase of applications to the court to vary existing parenting orders once the amendments in the bill commence, that the Government provide the court with sufficient resources to adequately address the increase in applications.

**Response**
This recommendation is accepted. The Government will monitor the impact on court resources and make decisions about resourcing in the context of the overall Commonwealth budget and
through the ongoing evaluation of the reforms. In addition the Government has injected nearly $400 million into additional services to provide an alternative to the court system to resolve post-separation disputes.

Government amendment 5 clarifies the Government’s intention that Schedule 1 of the bill is not to operate so as to allow previously resolved parenting orders to be reconsidered purely on the basis of the changes to the legislation. This Schedule contains the provisions that change the way courts are to approach the making of parenting orders.

The Government amendment addresses concerns raised by the Family Court of Australia. The Court was concerned about the potential impact on judicial resources, and on hearing times, of increased litigation following commencement of the legislation, caused by people seeking to have previously resolved matters reconsidered purely on the basis of the changes to the law.

As indicated in relation to Recommendation 11, the community education campaign will include information on the impact of the legislative changes on existing parenting orders.

Recommendation 13—That the Attorney-General’s Department consult with the relevant State and Territory departments and agencies in relation to the operation of section 69ZW.

Response
This recommendation is accepted. This issue can be addressed in the implementation of the Family Law Violence Strategy. The Attorney-General has written to relevant State and Territory Ministers seeking to meet with them to discuss issues related to family violence and abuse.

Recommendation 14—That the Attorney-General’s Department consult with National Legal Aid to ensure that the necessary resources are made available to meet any increased demand for children’s lawyers.

Response
This recommendation is accepted in principle. The Department has recently written to National Legal Aid undertaking to monitor the impact on resources of any increased demand for independent children’s lawyers.

Recommendation 15—The section 68R be reviewed to ensure the considerations to be taken into account are clear to all readers, and similarly the weighting to be given to each consideration, by the Court when exercising its powers under the section must also be clear.

Response
This recommendation is accepted. At the Standing Committee of Attorney-General (SCAG) meeting on 11-12 April 2006, the Attorney-General raised issues relating to the changes in the bill to Division 11 of the Family Law Act 1975 and the Family Law Violence Strategy. The operation of section 68R was discussed. The issue can also be addressed in the implementation of the Family Law Violence Strategy. The Attorney-General has written to relevant State and Territory Ministers seeking to meet with them to discuss issues related to family violence and abuse. Victoria, Tasmania and Queensland have raised the issue directly in correspondence to the Attorney-General and the Attorney-General is responding to these States directly. Western Australia has had discussions at officer level about this provision.

Recommendation 16—The Committee recommends that subject to the preceding recommendations the bill proceed.

Response
This recommendation is accepted. It is important that the bill proceeds to ensure that the legislative provisions are in place by July 2006. These changes underpin the rest of the family law reforms and it is important that they are in place when the first 15 Family Relationship Centres open in July 2006.

If the proposed amendments to the application provisions proceed, it is critical that parties who currently have applications in the system have appropriate notice that the new laws will apply to them.

Appropriations and Staffing Committee Report

The DEPUTY PRESIDENT—I present the 43rd report of the Standing Committee on Appropriations and Staffing on the estimates for the Department of the Senate 2006-07.
Ordered that the report be printed.

AUDITOR-GENERAL’S REPORTS

Report No. 39 of 2005-06


LAW ENFORCEMENT INTEGRITY COMMISSIONER BILL 2006

LAW ENFORCEMENT INTEGRITY COMMISSIONER (CONSEQUENTIAL AMENDMENTS) BILL 2006

LAW ENFORCEMENT (AFP PROFESSIONAL STANDARDS AND RELATED MEASURES) BILL 2006

Report of Legal and Constitutional Legislation Committee

Senator SCULLION (Northern Territory) (3.37 pm)—On behalf of the Chair of the Legal and Constitutional Legislation Committee, Senator Payne, I present the report of the committee on the provisions of the Law Enforcement Integrity Commissioner Bill 2006 and two related bills together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

BUDGET

Consideration by Legislation Committees

Additional Information

Senator SCULLION (Northern Territory) (3.38 pm)—by leave—On behalf of the respective chairs, I present additional information received by the Community Affairs, the Economics, the Foreign Affairs, Defence and Trade, the Legal and Constitutional and the Rural and Regional Affairs and Transport Legislation Committees relating to hearings on the 2005-2006 additional and budget estimates.

DELEGATION REPORTS

Parliamentary Delegation to Denmark and Sweden

Senator SCULLION (Northern Territory) (3.39 pm)—I present the report of the Australian parliamentary delegation to Denmark and Sweden, which took place from 16 to 27 October 2005.

COMMITTEES

Environment, Communications, Information Technology and the Arts Legislation Committee

Variation of Reference

Senator SCULLION (Northern Territory) (3.39 pm)—I seek leave to move a motion to amend an order which was agreed to today referring the provisions of the Do Not Call Register Bill 2006 and a related bill to a committee.

Leave granted.

Senator SCULLION—I move:

That the order of the Senate agreed to earlier today referring the Do Not Call Register Bill 2006 and a related bill to the Environment, Communications, Information Technology and the Arts Legislation Committee be varied by omitting “13 June 2006” and substituting “19 June 2006”.

Question agreed to.

CHILD CARE

Senator LUNDY (Australian Capital Territory) (3.40 pm)—I move:

That the Senate condemns the Howard Government for ignoring in the Budget the urgent needs of parents struggling with the cost, availability and quality of child care, noting:

(a) the incompetence of the Howard Government in allocating $60 million for child care places that will never be delivered given that there are already 100,000 unal-
located places due mainly to the shortage of child care professionals;

(b) the failure to bring forward the 30 per cent rebate on out-of-pocket child care expenses despite criticism of the rebate from the Government’s own backbench and the fact that child care fees are rising far in excess of other goods and services; and

(c) that parents who cannot find child care, cannot work, adding to the skills shortage.

This motion condemns this tired and arrogant government for their incompetence and failure in handling child-care policy and programs. This budget disappoints parents who cannot find or cannot afford child care. I remind those opposite that if you cannot find child care you cannot work. It is the budget where skills shortages and education are ignored by this government. Not only have they ignored the needs of Australia’s future growth; they have ignored the negative effect of the lack of child care on workforce participation.

To illustrate their folly, the Australian Bureau of Statistics released a survey on 6 February 2006 titled Barriers and incentives to labour force participation, which shows that: child care is one of the top barriers to work; problems finding suitable or affordable child care is the number one reason why women who want to work are not looking for work; almost 98,000 mothers who want to work are unable to start within four weeks because child-care and family factors prevent them; and another 160,500 women who want to work, or to work more hours, and consider themselves available to start immediately are not looking for work due to child-care and family factors. We also know that, at last count, more than 174,500 children were waiting for child-care places.

So what was in the budget for child care? Last night the government announced that it will get rid of the cap that currently applies to outside school hours care—which includes before- and after-school care and vacation care—and family day care from 1 July 2006. The government claims this will result in another 25,000 new places at a cost of $60.2 million over four years. But there is no modelling or any evidence at all to support this claim. In fact there is evidence that no new places will eventuate from this measure whatsoever. That is why Labor condemns this government’s figures.

There are already 67,000 outside school hours places and 30,000 family day care places unused from previous budgets. So any increase in the cap previously has not had the claimed effect of translating into actual care. These places are not being used for a variety of reasons, none of which have anything to do with the cap. With respect to family day care, for instance, the 30,000 existing places are not being used because family day care schemes cannot attract enough workers to deliver those places. The pay is poor, and many women are better off staying at home, raising their children and receiving family tax benefits.

The Howard government has cut operational subsidies to family day care schemes, which exist in order to recruit and train family day care workers. More than 50 per cent of family day care schemes have had their funding reduced at a time of increased compliance costs and an exodus of skilled people due to low pay. Recently, locally, here in Canberra, I was advised that there are existing services under pressure for these reasons. So when the government creates or announces what they claim are new child-care places this means they are creating new places in services that the federal government controls the supply of or caps. But because the federal government does not cap—indeed does nothing to stimulate the supply of—long day care, ‘new places’ never refers
to the problem of ongoing chronic shortages, which are in the long day care centres.

It is as though this government does not understand the difference between out of school hours care and long day care. They are different. A parent with a child of nine months or two years who is pursuing care arrangements faces a very different prospect from one who is looking for out of school hours care. Creating places that will not be able to be utilised in the after school hours is no help at all to someone who has a baby and wants to return to work after six months.

The bottom line is: this policy and funding announcement in the budget relating to child care is a con. The Howard government wants to give the appearance of creating places while actually giving up on the supply problems and leaving parents and providers to struggle on with the real problems that have plagued the system for a long time. How dare the government claim that parents’ worries are over—as I note my Senate colleague here in the ACT tried to do in this morning’s Canberra Times. It is just untrue.

There is not a single extra place guaranteed to eventuate, and child care will not be a single cent cheaper. It is not just the Labor Party saying this. The CEO of the National Family Day Care Council, Linda Latham, said, ‘You can have all the theoretical places in the world, but if you can’t find carers then they remain political promises.’ This government is taking the unplanned, market based system that has created shortages—and, indeed, gluts in some areas—in long day care and is now applying it to other types of child care. It is adopting a system that is failing parents and providers in many areas of Australia, and it is turning a blind eye to the reasons why family day care places in some areas languish unused while desperate parents still cannot find child care near their work or home. This is why the Labor opposition condemns this government. It was outrageous and misleading in the build-up to this budget to promise that child care would somehow be a big winner.

It is also a painful irony that the only money in this budget that is actually guaranteed to be spent is $2.3 million that is earmarked for advertising the 30 per cent rebate on out-of-pocket child-care expenses. Yes, you got it: more advertising—on top of the millions of taxpayers’ dollars that have been spent on promoting the government’s extreme industrial relations changes and other Howard government policies. I remind parents that the rebate was promised to them in the lead-up to the 2004 election. It is still not being delivered.

The tax offset is payable on out-of-pocket expenses for approved child-care services—for example, the gap fee paid by a parent between their child-care benefit entitlement and the actual child-care fee. The offset is payable for the first time in the 2006-07 financial year through the 2005-06 tax returns; so government expenditure starts in the 2006-07 financial year at $280 million, followed by $305 million and $330 million in subsequent years. So, as a continuation of the arrogant character of 10 long years of the Howard government, the rebate has been delayed, capped and now denied to some parents.

As I said, during the 2004 election campaign the coalition promised that all Australian parents would be able to claim 30 per cent of their child-care expenses back on 1 July 2005 and look forward to a tax refund in a matter of weeks. But, two months after winning that election, the government announced that it was pushing back the rebate by 12 months. Claims can now be lodged for the first time on 1 July 2006. Also, there is a cap on the amount claimable, so parents can claim only a maximum of $4,000 per child—
even if this amount is considerably less than 30 per cent of the child-care costs. Finally, the rebate cannot be claimed at the end of the financial year in which child-care bills were paid. Instead, parents have to wait another year. For example, child-care fees for 2005-06 cannot be claimed until July 2007. This appears to be the first offset in Australian history that cannot be claimed at the end of the financial year in which the relevant expenses were incurred—at least for individuals and parents, as opposed to companies in some of the R&D schemes.

Due to post-election changes to the rebate, the following groups of parents will not get the amount of rebate they were promised during the election: parents on minimum child-care benefit who have a child in full-time care and fees over about $65 per day—they will hit the cap; single parents who are starting up a business or who are on low incomes will miss out on every cent of the 30 per cent rebate that exceeds their tax liability in a given year; parents who have not kept receipts for all child-care sessions for each child dating back to 1 July 2004; and parents whose children attend a preschool—because preschools are regulated and run by the states—or are cared for by a nanny or other carer. No amount of advertising or awareness raising will change the fact that many parents are now not eligible for the child-care rebate. These parents are bearing the brunt of a shameless broken promise.

The government has also committed no money to planning. Despite promising to expand the existing Child Care Access Hotline so that parents can find out about the vacancies that exist in child-care services and centres in their area, there is no funding allocated for this phone line. The government also announced that it would introduce a child-care management system, which appears to be at least a start to collecting much-needed facts and data to better manage child-care centre places. Strangely, there is no money for it in the budget.

It is ludicrous for the Howard government to finally admit that child-care planning has been sorely neglected—which they appear to have done by virtue of the inclusion of that particular item in the budget—after having been dragged, kicking and screaming, by child-care providers and Labor to this point and then not fund the solution. It is smoke and mirrors. It is all talk and no action. Just on the side, there is news today that the ACCC is allowing the merger between two of the very large corporate providers, ABC Learning and Kids Campus, which will create just two very large corporate providers. Where is the competition that ought to help parents make sophisticated choices—and, indeed, allow them to have choices? I know that there are some towns, like Tamworth, which will have only one provider after this merger takes place. With no choice of provider, what will happen to the fees?

I would like to turn to this issue of fees. Some families are paying in excess of $20,000 on a net salary for child care—for instance, those with two children under five in care for three or more days a week. Many other families cannot even afford this. They cannot come close. The take-home pay of the second earner would be less than the child-care fees, so working becomes a bad financial proposition for these families.

In the 2005 budget, the Howard government reduced the number of parents studying who qualified for the JET Child Care program. This was last year. Under JET, eligible parents, who are very low income parents reliant on welfare benefits whilst they are looking for work or training, do not have to pay for child care. JET pays the gap between the fees and the child-care benefit. Those 2005 budget changes meant that JET Child Care was available only to those studying for
less than 12 months, which knocks out parents wanting to be hairdressers, mechanics, social workers and child-care workers, for example, given that all these diplomas take more than 12 months to complete. Note again that these professions include many that are in great demand in Australia due to the skills shortage, yet the Howard government’s policy is counteracting the efforts of these people who are being encouraged to study and train.

In this year’s budget, the government has committed to providing a one-off boost in funding for the JET Child Care program for next year. While Labor welcomes this extra money, it is a mere drop in the ocean. Tens of thousands of sole parents will be forced into the labour force from 1 July 2006, and many of them will not even be aware of this child-care entitlement. They will not be told about it by Centrelink and they will never benefit from it. If the government were serious about JET as an affordable solution for sole parents, it would advertise this entitlement—it would use the money that it spends on advertising on this entitlement, not on the 30 per cent rebate that parents have been expecting for the last year.

It is clear that the main reason for the overall decline in affordability is that fees are rising very fast; in fact, they are rising five times faster than the average cost of other goods and services. Here are some important facts. In 2002-03, the cost of child care rose by 17 per cent, whereas CPI was 3.1 per cent. In 2003-04, the cost of child care increased by another 12.2 per cent, whereas CPI rose by three per cent. In 2004-05, the cost of child care increased by yet another 12.4 per cent, compared to a rise in the general CPI of 2.5 per cent. And in the first quarter of 2006, from January to March, child-care costs rose by five per cent, compared to the general rate of inflation of 0.9 per cent. This 5.1 per cent rise in the cost of child care in the first quarter of 2006 is a huge rise for one quarter—the largest, in fact, in three years. Many parents already know that the primary government subsidy, the child-care benefit, has not kept up with fee increases. It only increases in line with CPI.

The following figures show the average cost in each state of full-time centre based care for one child five days a week. These figures came from the federal government in reply to a question on notice from the opposition in August last year. Perhaps not surprisingly, the arrogance of the Howard government has led them to refuse to update these figures. I know Ms Plibersek, Labor’s shadow minister for child care, has been putting questions on notice about more recent fee figures since November 2005. Let’s have a look at these numbers. Average weekly fees in each state for full-time day care in 2004 were, from highest to lowest: the ACT, $251; Victoria, $242; New South Wales and Western Australia, $225; Tasmania, $215; South Australia, $211; the Northern Territory, $207; and Queensland, $204. Apply these amounts to your average weekly household budget and it is easy to see why full-time child care is almost out of reach for most of middle Australia.

In speaking to this motion, which does condemn the Howard government’s poor handling and neglect of child care, it is impossible to ignore the impact of other extreme policies on the ongoing struggle for families to achieve the right balance between work and family. A big part of this equation is of course how family friendly workplaces actually are.

In 2005, the Howard government passed through the parliament the Workplace Relations Amendment (Work Choices) Bill 2005. The act came into effect in May 2006. The new industrial relations system puts employ-
ees at risk of being made to work longer hours at shorter notice and for less pay. Women, especially those who have caring responsibilities and who are low paid, are most at risk of losing under these new industrial relations laws. In 2005, the former independent AIRC, the Australian Industrial Relations Commission, prescribed in their family provisions case that employees should be able to take an extra 12 months unpaid parental leave, return to work on a part-time basis after parental leave until the child reaches school age, and extend simultaneous parental leave to a maximum of eight weeks. But not one of those provisions was protected by the Howard government’s extreme industrial relations changes. The flexibility that the government champions is one way, and it is all the employers’ way.

Unpredictable hours affect family life. It is impossible to arrange child care. It is impossible to coach your son’s or daughter’s soccer team. Unpredictable pay affects the family budget. You cannot get a car—or a loan—to buy the petrol—or get a mortgage if you do not know what you are earning from week to week. And what about holding a child-care place? If you have unpredictable casual work, it is almost impossible.

The Howard government’s removal of unfair dismissal protection has also had an immediate effect, and we need look no further than the example of a child-care worker here in Canberra, Emily Connor, who only a few days after the introduction of the industrial relations legislation was sacked unfairly. Emily’s situation was dire. She was given no reason and was told she had 10 minutes to leave the premises. When she—an employee of nearly five years—asked to finish her shift or at least farewell the children, she was refused these reasonable requests. This is the Australia we live in under Mr Howard’s government. It is unfair, those changes are extreme and the neglect of child care has meant that many people—predominantly women but men too—do not have any choice. (Time expired)

Senator HUMPHRIES (Australian Capital Territory) (4.00 pm)—I am very happy to participate in this debate and indicate, not surprisingly, that I see a very different, much brighter, outlook for child care in Australia, particularly as a result of the budget announcements made just two nights ago by the Treasurer, Peter Costello. I see a situation for parents seeking child care for their children that indicates a growing opportunity for accessing subsidised child-care places, and for the growing availability of child-care centres within particular regions of Australia which may not have had adequate services in the past. I see growing affordability, and I believe that all the evidence points to a dramatically improved outlook for child care in this country as a result of the work of this government over the last 10 years.

You would not glean from anything that Senator Lundy has said in this debate that funding for child care in Australia in the last 10 years has doubled, or that the number of approved child-care places in this country has doubled from around 300,000 in 1996 to approximately 600,000 in 2005 and more, of course, in the budget announced on Tuesday night. I would like to know from another speaker on the other side how you could possibly have achieved the kinds of outcomes that Senator Lundy has spoken about for children and for parents in this country if you kept levels of subsidised child-care places to the sorts of levels that you had under the former Labor government. On average, families today are now receiving over $2,000 per year in child-care benefit—way up from the government assistance they were receiving under the Labor government.

The government supports families to choose the way that would best suit their
circumstances for the care of their young children. As well as supporting families with the cost of child care, we are also of course providing a range of other family payments which are increasing the capacity of Australian families to meet costs of that kind—things like the family tax benefit and the maternity payment. On average, families are now receiving $7,700 in family tax benefit alone. Think of how much capacity there is for many Australian families to meet the cost of child care with payments of that kind.

Senator Lundy makes reference to the fact that inflation in the cost of child-care services has increased at a greater rate than general inflation in the community. That is no doubt true, but I want to draw to Senator Lundy’s attention and to the attention of senators in this chamber that the Australian government does not itself provide child care in the community, and nor indeed do the state and territory governments. They do not run government child-care centres. Perhaps one day—I hope in the not-too-distant future—when we get a child-care centre in this particular workplace, it might be possible for a government to once again be in the business of running those centres. But at the moment governments themselves across Australia do not run these centres. So the government cannot click its fingers and create the particular circumstances where supply and demand are matched up or where centres have particular features, are located in particular places and so on. We have relied for many years on the reality that the marketplace must meet the demand for child care with appropriate subsidies to those centres reflecting the community’s interest in affordability and with appropriate support to families to meet the cost of providing or paying for child care. I would argue that the evidence clearly demonstrates that we have delivered that, notwithstanding increases in the cost of child care over those years. Subsidies have risen and the number of subsidised places has risen. That has had a major impact.

I would like to somehow regulate the marketplace to prevent those costs rising, but we all know that you do not do that. You do not step in and say what it is that people must be paid and cap that amount to somehow ensure that child care remains affordable. If child-care workers are in demand—if there are not enough child-care workers—then the cost of those workers and the wages they are paid will tend to rise. That in part is the problem that we have faced. I might say that the rising cost of child care and child-care workers is a reflection generally of the skills shortages, of which many have spoken in this chamber even today. We are working hard as a government to fix those problems by investing in training and skills acquisition across this country, and there are many measures in this budget and in previous budgets that I think assist that process. But you cannot as a government wave a magic wand and somehow prevent child-care workers from asking for and receiving higher wages.

Government can create or contribute to the circumstances where child care is more available and more affordable, and in that respect this government has delivered and delivered in spades. I do not necessarily want to refer to all the things that have been done in previous years’ budgets, or to the addition of $9½ billion over the next four years alone, or to the other many things that the government has done to increase the number of child-care places from 300,000 to 600,000 in the last 10 years—notwithstanding of course that we have not seen a doubling of the cohort of eligible children in that time. I will not refer to those. I want to refer to what is in this year’s budget, announced two nights ago.
In this budget, the government committed to an additional $120.5 million in the coming financial year to provide an even more responsive child-care system for Australian parents. The government removed the caps on the number of approved child-care places for out of school hours care and family day care so that those forms of care matched long day care in having no cap. Again, that delivers a system where demand can be met wherever it occurs and does not rely on the designation of a certain number of places in particular regions or areas of Australia. If there is demand in an area, that area is eligible for child-care places.

This means that 99 per cent of places in the sector will be uncapped from 1 July 2006. Services will be able to set up or expand to meet demand when and where it occurs, provided they meet approval requirements, including quality assurance and licensing. Parents using these places will be eligible for subsidised child care through the child-care benefit. This is one of the most significant changes in the provision of child-care places in Australian public policy history and certainly the most significant change since the Howard government introduced the child-care benefit.

That is a general benefit available to all Australian parents irrespective of their conditions or means. Of course, parents on income support such as the parenting payment who are re-entering the workforce will also benefit from this budget’s increased funding for the JET Child Care program, which pays almost all the gap between the fees at their child-care centre and the child-care benefit—a huge benefit that Senator Lundy seem to have overlooked in her remarks, but one that makes a big difference to the way in which parents in those categories—

Senator Lundy—You cut that program last year!

Senator HUMPHRIES—The fact is that it did not exist under you.

Senator Lundy—You cut it last year and provided a dribble of money back—

Senator HUMPHRIES—It did not exist under you, Senator Lundy. We created the program; we are making it happen. In this year’s budget we have improved access to that program. I do not know what more one could do in these circumstances to deliver higher levels of affordable child care to those parents re-entering the workforce on a parenting payment.

The budget also funds improvements to compliance checking and further supports the quality assurance program. Those changes mean that the full value of the record level of expenditure in child care made by this government goes to support parents who use approved child care. Parents can be assured that there will be more rigorous financial compliance and checking. This will ensure that parents get even more value from the assistance that they receive through the child-care benefit. The government is also committed to a significant investment to introduce a new child-care management system to ensure that up-to-date and accurate information is available on the supply, demand and use of child care.

A few weeks ago I indicated to parents in the ACT how they could use this facility, particularly online, to work out where places are available in their particular community. That is of enormous benefit for those who have children reaching an age where they require child care. There is also a child-care access hotline—1800670305—available from 1 July. I warmly encourage people to use that service to find out where they can get those places and what the circumstances of access and government support programs are. Far from not advertising that fact, I have put out a press release to make it clear that
those things are available. Senator Lundy is free to do the same thing and I hope as many members as possible on both sides of the house take the opportunity to tell people about the new accessible services and ways in which parents seeking support for caring for their children can access that support.

I think it is worth listing all of those things because this debate on the government’s provision of child care occurs in the context of a stark lack of alternatives—that is, we know what the government’s plans are and we know about the increase in the number of child-care places. We know that the 30 per cent rebate on the out-of-pocket expenses that parents meet in Australia, irrespective of the age of the child or the number of hours of care they receive, is available to parents. We know that there is now an uncapping of the number of places in Australia for family day care and out of school hours care.

We know about all of those things because they have been very widely broadcast in this budget and in previous budgets, but we do not yet know what the alternative policy is. We have heard a litany of complaints about access to child care in Australia, but we do not know how Senator Lundy’s Labor Party would actually fix those problems. I believe we are entitled to view this criticism with a great deal of cynicism because only a year and a half ago the then-shadow minister responsible for child care, former senator Jacinta Collins, admitted on radio in September 2004 that Labor’s child-care policy ‘certainly is a drop in the ocean’ and has ‘not many places’. Those are the words that the then shadow minister responsible used in respect of the policy that had been announced not long before by leader Mark Latham.

Indeed, there was a very heated community debate about the inadequacy of the proposals that were put forward by the Labor Party to deal with the litany of problems that, before and since, they have been complaining about with respect to child care in Australia. Members of the Senate will recall that Mr Latham announced that a child-care policy under the Labor Party would consist of one free day of care—just one—in any given week. It was only for children aged three or four, and it was the case that that subsidy would be provided up to the amount of only $4.88 per hour. Anything above that it was up to the parents to meet. That policy went nowhere near addressing the issue of the affordability of child care, particularly for parents who seek full-time child care for extended periods of time.

In the debate this afternoon, Senator Lundy said that full-time child care is virtually out of the reach of middle Australia. I pose this question to Senator Lundy and to those who will come into this debate later: how would a policy of providing just one free day of care a week for only three- or four-year-olds up to the amount of only $4.88 an hour—how would that fix the problem of accessibility to full-time child care?

Of course it would not. It would not have gone anywhere near fixing the problem, yet here we are being lectured to by the Australian Labor Party about how we are not doing enough to fix the affordability of child care. If you cost an alternative and put it on the table then we will have a real debate about
where child care should be going in Australia, Senator Lundy. Then we will talk about what we should be doing to further broaden the accessibility of child care.

Senator Lundy—Social engineering of the worst kind.

Senator HUMPHRIES—I am in favour of social engineering if you can afford it, Senator Lundy. But you worked out that you could not afford anything more than one free day of child care a week. We have already exceeded, just in this budget alone, the amount of the outlays on child care that you were proposing in the last federal election. And I suspect that we will continue to do so as we make good, prudent use of the money which has been generated by prudent fiscal management over the last 10 years.

The fact is that the 30 per cent rebate provided by the coalition government is far more effective at meeting the cost of child care to Australian families. It is not based on age. It is not based on the cost of a particular provider of child care. It is a flat 30 per cent rebate for all out-of-pocket expenses for every hour of child care that families incur in a given week, and it is provided regardless of age. That is a fair policy. That is an effective policy that makes a big difference.

What is more, incidentally, do not forget that Mark Latham also proposed to scrap the family tax benefit part B; he was not going to continue with that. Stay-at-home parents would have lost that benefit under the family and tax policy announced by Mark Latham. Of course, that would also have substantially eroded the affordability of child care in Australia.

Senator Lundy talked today about sole parents and their access to child care. Mark Latham said on 14 September 2004, during the election campaign, that sole parents would be worse off in the annual calculation under his family and tax policy. So I think we need to see the whites of the eyes of the policy of the Labor Party before we have a chance to judge it. But, on the record to date, there is not much that is worth considering or taking seriously from the other side of the chamber.

We are not failing families, parents and providers, as Senator Lundy has suggested. We are dramatically improving the affordability of child care in Australia. We cannot control all of the circumstances in which child care is provided—that is true—but it is a matter of record that many more Australian families can access child care today than was the case before.

Senator Lundy criticised the decision recently by the ACCC to allow for the merger of the two biggest child-care providers in Australia. I would like to know what Senator Lundy considers to be the alternative to the process, whereby the ACCC would consider such proposals. It seems to me that they are extremely well equipped and well led to be able to make decisions of that kind. If Senator Lundy does not like it, I think she needs to tell us what process she would put in place to ensure that such mergers did not occur. But, as far as I am aware, it is not the policy of the Labor Party to dismantle the ACCC.

We have in front of us a policy which is working; a policy which is delivering affordable child care to Australians; a policy which is doubling and more the number of approved subsidised child-care places in Australia; and a policy which is now freeing up the physical geographical placement of child-care places through uncapping. I think that system is pretty good. It is delivering to Australian families. There are, of course, still problems in delivery of child care, but those problems have been substantially addressed in recent years. When I hear what the alternative is, I will be very happy to take on—

(Time expired)
Senator SIEWERT (Western Australia) (4.20 pm)—I rise to support Senator Lundy’s notice of motion, and I congratulate her for bringing this issue on. There is a great deal of debate in the community—emotional debate, of course, because this issue is an emotional one—about how we care for our children. Unfortunately, I do not think that the government’s recent announcement on child care went a long way or very far towards addressing the issues that face our child-care sector and the parents of this country.

The debate revolves around a number of issues: access, affordability and, very critically, quality. I would like to quote Emma Rush from the Australia Institute, who very recently—in April—released a paper on child-care quality in Australia. She starts by saying:

An excellent child care system is important to enable parents to balance work and family life, to encourage the workforce participation of parents, and to foster the development of Australian children. Recent public debate about the child care system in Australia has focused primarily on the availability and affordability of child care. This paper considers an aspect of child care that has received much less attention, that of the quality of the care provided.

I will address the issue of quality shortly, but the first point I would like to make is that I do not think the child-care system in Australia, as it presently stands, enables parents to balance work and family life. In fact, it makes it extremely difficult. It is not encouraging workforce participation of parents, and we have seen a great deal of analysis over the last two days, particularly from women, saying how hard it is to get back into the workforce under the current circumstances and, in particular, child-care arrangements.

I am deeply concerned that the current child-care system in Australia does not foster the development of Australian children. I believe we should be putting that at the centre of our child-care system. I found the announcement about lifting the cap on the provision of family day care centres and before and after school care deeply concerning. I do not think it goes any way to addressing the entrenched issues we have in our current child-care system. I think it is a short-term solution from a government that does not appear to appreciate some of the deep-seated issues that are involved in this issue. The allocation of child-care places is not just a question of supply and demand in broad economic terms—it requires identification of the needs of children and their families in the towns and suburbs of Australia.

The government’s simple approach seems to be that the market will take care of the allocation of child-care places. Quite simply, that is wrong. There needs to be a comprehensive needs analysis of the sector to determine where resources need to be allocated and for which particular services—because you need a combination of services—and what the long-term needs of the industry are, including training. This is particularly so in rural and regional areas. Just recently in a committee hearing I had the opportunity to ask some questions about assessing demand in, in particular, rural and regional areas, and it became quite obvious that they do not have an idea of demand in rural and regional areas. Again, it seems to take the approach ‘let the market provide’.

We need a clearly targeted strategy that aims to deliver appropriate child care in the places where it is needed and address the current and future demand for properly trained and accredited child-care staff. This government had an opportunity in this budget to set the direction of the child-care sector for future generations. I contend that if the Treasurer had put as much attention and understanding into child care as he put time and energy into dealing with the financial sector and superannuation for baby boomers,
we would have a much better start to the child-care system in this country right now. We do in this country have the capacity and financial means to build what I believe we could have, and that is a world-class child-care system—not one that simply makes places available by cutting corners and dropping standards. A quality child-care system is important not only to prepare the next generation of Australians but also, as I said, to enable parents to balance work and family life and to encourage their participation in the workforce.

A number of worrying trends have been debated in the community, and I would like to touch on one of them—the privatisation of day care and child care. The danger is that if the funding is not targeted to clearly address areas of high demand for child care then we will see a wave of big, private child-care centres setting up in what could be described as the ‘nappy belt’ in response to the price of real estate rather than in response to the demand for services from parents wanting to return to the workforce. This has been extensively covered in the media.

From the point of view of maximizing returns to shareholders, the most attractive proposition is to set up mega day care centres where the real estate is cheap, to cut corners on the quality of the facilities and play equipment provided, to push staff-to-children ratios as far as you legally can and to save your overhead costs by requiring staff to do all of the other admin, cleaning and maintenance activities at the same time. Clearly, there is a need for child-care places in regional centres, but setting up in these areas is unlikely to be financially attractive to the big private providers. As I said, the nappy belt is more financially attractive.

I want to make it clear that the Greens are not opposed outright to private enterprise, despite what many people say, nor are we arguing that there is no place for private providers in the child-care system. However, given the crucial nature of our children’s formative years, I do not believe that it is appropriate that private child care should be at the centre of our child-care system. It should help to supplement it. I for one am a strong supporter of community day care and community child care.

I am concerned that a system that puts the interests of shareholders above the interests of children is dangerous and damaging and needs to be carefully monitored and regulated. We already have clear evidence that the increasing privatisation of day care services is driving down the quality of services and the amount of one-on-one care and attention children receive, and increasing the likelihood that they will come to harm through inattention or neglect. We must at all costs avoid a factory farm mentality and must not cut corners or standards to meet demand. It is my firm belief that quality day care needs to be the heart and defining characteristic of our system. We need to ensure that we are investing in the future of our nation through our children and not short-changing or trading off that future for a few short-term gains and profits.

This issue was raised in an Australia Institute report which did a clear analysis of the current day care system. It looked at the three distinct types of day care provided: the community based centres—including all centres which are not for profit—the independent private centres and the corporate chains. As I said, the study by Emma Rush of the Australia Institute, which is called Child care quality in Australia, found:

... for all the aspects of quality care investigated, results show that community-based long day care centres offer the highest quality care. Independent private centres offer a quality of care that is usually similar to the high quality offered by community-based centres. Corporate chains offer the
lowest quality of care on all aspects of quality surveyed, and in some cases it is markedly lower than that provided by community-based long day care centres.

It went on to say:
The ability to develop relationships with children, and thus secure attachments, is perhaps the most important indicator of quality of care. On this criterion, community-based and independent private centres scored markedly better than corporate centres, with around half of child care staff from the former two types saying they always have time to develop individual relationships compared to only a quarter at corporate centres.

Community based child-care centres provide the highest standards of care and the best linkages between the child, the family and the community. It is my personal strong belief that the way forward is to put community based child care at the heart of our child-care system. It should be the baseline and the standard to which all others seek to conform. We should actively encourage small private centres with a culture of caring to set up, but we must ensure that all child-care centres, whether they are community or private, are strongly regulated and assessed to ensure that standards are maintained and increased. We need to keep a very close eye on what I would call the large-scale industrial child-care providers, and action needs to be taken to clearly enforce standards and ensure quality of care.

Now I would like to turn to the issue of affordability. Quite clearly, the evidence shows that time and again parents are saying that they cannot afford child care. Then there are the gradients of what you can afford as they relate to quality. I believe all parents should have access to quality day care and child care. I do not believe that the current system of rebates is helping all the people in the community who need help.

The Australian Council of Social Service released a survey earlier in the year—in March in fact—along with their plan of how to address child care in Australia. Their plan was for a fairer and more affordable system. They made a number of important recommendations which need to be considered. They had a 10-point plan, but their most urgent specific recommendation was that they felt very strongly that a schedule of government recommended fees for services needed to be produced so that parents could compare the cost and quality of different service providers. ACOSS also felt very strongly that a 30 per cent child-care benefit guarantee should be created so all families would be paid at least 50 per cent of the government recommended fee for services. Many families would be entitled to much higher levels of support to meet child-care costs, with up to 85 per cent being paid to parents on the lowest incomes. They also believed that the government should establish a national demand model and a national planning system to identify demand and match services to local area needs. These are the sorts of recommendations that the government needs to go back and have a look at to try and get child care right in this country.

The plain and simple fact is that a large number of Australians do not have access to affordable quality day care or child-care centres. It is something that needs to be urgently addressed. We will not be able to address it urgently unless we deal with the issue of making sure that we have people who are trained and accredited to work in the industry. The industry is facing a crisis in workforce availability. How is the sector going to find the staff to support the new child-care positions that may or may not be created? Where is the plan and funding for vocational training and development in this sector? It will take at least two years for the industry to train enough new child-care workers to meet demand for child care, particularly if we want workers of high quality. It may take
even more time to train directors of child-care centres—and this is assuming that there is a concentrated effort to create training places. We need people who we are confident in and who have the qualities and necessary skills to look after the children we are putting in child care.

The people who work in the child-care sector are among the lowest paid in this country. I have to make the comment here that the new industrial laws are highly likely to drive those salaries even lower. There is also a clear difference between the salaries of those working in the private sector and the salaries of those working in the community sector, and that was brought out in the Australia Institute report. There is a clear disincentive for people to enter this field just at the time when we need them most. There is an absence of fair pay, quality working conditions and long-term career options, and that means that people are simply not going to choose to work in the child-care industry. Without these people to look after our children, the sector will not be able to continue.

It is essential that we address the issues of access, affordability and quality. Those are the things that we think should be at the heart of any quality child-care system in this country. It is still difficult for women in particular to re-enter the workforce because there is no access to affordable quality child care, particularly in regional areas. We do not believe that the for-profit sector at the heart of our child-care system is the answer. Quality community care should be at the heart of our child-care system. We need to change the structures so that we have an affordable child-care system with centres in locations where they are needed and not where private industry thinks that they are needed.

We need to reassess the 30 per cent rebate so that the child-care benefits are more immediately accessible by parents, particularly those on low incomes who cannot afford to shell out money hoping that they are going to get money back in the future. I strongly recommend that the government reads the ACOSS 10-point plan and I strongly recommend that they read the Australia Institute report on quality child care to ensure that we have a child-care system in this country that we can be truly proud of.

Senator JOYCE (Queensland) (4.36 pm)—This is an interesting time. It is one of those debates we have after a budget of the century and the Labor Party are desperately looking for something to talk about. It is interesting that the Labor Party have picked this area because it is an area where they have no child-care plan. It is going to be interesting to hear Mr Beazley—for as long as he is going to be the leader of the Labor Party, and tonight could be his last hurrah. Presuming he goes on, it is going to be fascinating to see what Mr Beazley puts on the table for the people of Australia as his alternative plan.

Senator Lundy interjecting—
Senator Webber interjecting—
Senator JOYCE—Oh, out they come! We know that it is going to be an absolute work of art. Mr Beazley’s comments tonight will be an absolute work of art, absolute financial acumen, of how he is going to run this nation should—God forbid—he ever be given that mantle.

Senator Santoro—It is going to be very entertaining.

Senator JOYCE—You are right, Senator Santoro. Tonight will be like an obituary speech for Mr Beazley. He will give his own obituary of what he would have delivered to the Australian people had he been given that option. What we should really be listening to tonight is the speech of possibly—

Senator Lundy—You are not going to be able to fill up 20 minutes. You are already struggling.

Senator JOYCE—No, it is going to be interesting. There is a range of people to whom we could be listening tonight as alternative Labor Party leaders. We have had one gentleman down at the mine site in Tasmania, and he is obviously positioning himself for a tilt at the leadership. We look forward to his anecdotes of how he would run the country. We have another gentleman from the Labor Party who has been on the Kokoda Trail. He will give us a few anecdotes of how he is going to run the country. No doubt, Julia Gillard will give us a few anecdotes of how she would run the country. We have a multiplicity of possible policies that the Labor Party could come out with tonight, and I hope they all get a chance. We do not know who is going to be the leader of the Labor Party, but it could be one of them.

Let us look at what the Liberal-National government have delivered—because we deliver; that is the difference. They promise, they talk; we deliver. In the 2006-07 budget the government have committed an extra $120.5 million over four years to the child-care package. This is in addition to the $9.5 billion the Howard government will spend over four years to 2008. The Howard-Vaile government have doubled spending on child care compared with Labor. That is a very important point for the Australian people to realise—behind the rhetoric. This is the point: Labor are going to attack the budget on child care yet the Howard-Vaile government have doubled spending on child care compared with Labor. It is important to get that on the record.

The number of approved child-care places has doubled from around 300,000 in 1996—there are a few people in the Labor Party who were probably not born then; that was just after they got booted out—to 600,000 in 2005. On average, families now receive over $2,000 per year in child-care benefit. I know that is astounding, I know it leaves you without breath, but that is the fact of delivery of a Howard-Vaile government. It is going to be interesting to see what your future Labor leader Bill Shorten has to say about that. We are all waiting for Bill to arrive in the lower house to lead you out of the valley of gloom to take you to that higher mantle. We are looking forward to the arrival of Bill Shorten, the knight in shining armour who is going to save the Labor Party. But there are a few things he should be aware of. On average, families now, under a Howard-Vaile government, are receiving $7,700 in family tax benefits. They say, ‘Oh, that’s middle-class welfare.’ Well, so be it; we on this side of the house are happy to look after the middle class. They are the people we want to look after—the mums and dads. They are the people we go into bat for.

The Howard-Vaile government have removed the caps on the number of approved child-care places for out of school hours care and family day care. Long day care is already uncapped. This means that 99 per cent of places in the sector will be uncapped from
1 July 2006. Services will be able to be set up or expanded to meet demand where and when it occurs provided they meet the approval process, including quality and licensing requirements. Maybe the new leader, Bill Shorten, will want to change that. Maybe he will be throwing money helter-skelter so we can get ourselves into a $100 billion deficit again. It is the prudent economic management of the Howard-Vaile government that has given us this opportunity to look after the middle class—the people we endeavour to go into bat for.

(*Senator Santoro*)—The battlers, the workers, the forgotten people.

(*Senator Joyce*)—The battlers, the forgotten people. It is interesting to see what Latham, their former knight in shining white armour—and what an interesting character he was—was going to do. I think he was going to remove part of the family tax benefit. In climbing his ladder of opportunity he was going to sell families down the toilet. It is good to get these things on the record.

This is one of the most significant changes to the provision of child-care places in Australian public policy history—and I put that on the record. The Howard-Vaile government have made one of the most significant changes in Australian public policy history. That is the sort of record that Senator Scullion and Senator Santoro can stand behind because we are proud of delivery. We are a government of delivery, and this budget has been the biggest deliverer in the history of this place. This budget still gives you a $10.8 billion surplus. This budget is the result of the accomplishment of developing a trillion-dollar economy and taking Australia back where it should be at the front end of the Western developed world. It is one of the pride economies in the Western developed world and it has been managed under the good stewardship of our Treasurer, Peter Costello, with the strong support of his colleagues in both the Liberal Party and the National Party.

Parents on income support such as parenting payments who are re-entering the workforce will also benefit from this budget with increased funding to the JET Child Care program, which pays almost all the child-care gap between fees and the CCB. The budget also funds improvements to compliance checking and further supports the quality assurance program. It is very important that we do not just arbitrarily throw money around, that we get some control of what is happening, because it is important that the kids out there in these child-care centres are looked after—and they fall silent on the other side. Parents can be assured that there will be more rigorous financial compliance checking. This will ensure that parents get even more value for the assistance they get through the CCB.

The government has also committed to a significant investment to introduce new child-care management systems to ensure that up-to-date and accurate information is available on supply and demand on the use of child care. Parents seeking information on available child care in their local area will be able to ring the child-care access hotline, and it is good to see that we are delivering a quality controlled mechanism so that people can check how their kids are being looked after.

The long day care places—and that is an important policy aspect of this Howard-Vaile government—are already uncapped. We have had some conjecture are out there today about this. Someone can set up a child-care centre when and where they want so long as they meet the state and territory licensing regulations. All places at approved child-care centres are CCB funded so parents will receive subsidised child care. The Australian
government’s role is to assist parents with the cost of child care, not to build or directly provide a child-care centre. We believe in the concept of small business and business being a benefactor of the policy of the government rather than the government being the business. We are happy to stand behind that on this side of the chamber and give people the opportunity to go into this marketplace and to make their money from that. That is what builds our trillion-dollar economy. It is one of the aspects that has developed our nation.

Maybe we will have an alternative policy tonight but I bet we do not. I bet there will be nothing but the poor, sad, sorry sight of Mr Beazley giving his obituary whilst Julia Gillard, Kevin Rudd and Wayne Swan—and Bill Shorten on the television—sit back, their eyes peeled, sharpening their blades in true Labor fashion, ready to jump in there and start tearing him apart. It will be interesting to see not so much the applause that Mr Beazley will get from this side of the House but the applause, the conjecture, the eyes, and the daggers being sharpened up on his own side. It is going to be an interesting night. I cannot wait for Mr Beazley’s book after he is jettisoned by the Labor Party—as they have done so well with the rest of their former leaders. The government is providing a record level of funding to families for child care through child-care benefit and the child-care tax rebate. On average families are receiving $2,000 in child-care benefits per year.

Senator Lundy—You have already said that.

Senator JOYCE—It should be said again, because people should know—

Senator Lundy—You said $7,000 last time.

Senator JOYCE—Thank you very much—a Daniel come to judgment! She knows the figures that the Howard-Vaile government is delivering. Yes, it is $7,700 per family—

Senator Lundy—Why did you say $2,000?

Senator JOYCE—Because it is a point that we should get out and I think that people should know about it. It is very important. Low-income families already get the maximum rate of CCB. That on average covers around 65 per cent of child-care costs. In addition, the government has increased this funding because it has a vision for the future, for the progression and the nurturing of those who are probably the most important in our community: the new generation coming through. The children are the people this government intends to look after, and has.

As I have said before, we have got double the number of places that were available under a Labor government and I do not think that the population has doubled since the Labor government were in power. It might have, because it was a fair while ago, but I do not think that it has. Nonetheless, it has been a Liberal-National government that has really gone to the fore in trying to develop the child-care system. If the Labor government warrant such outrage about this, we just want to go to one thing: where is your plan? Surely after all this time you should be able to deliver some document to the chamber showing what you intend to do. But there is no such luck. There is nothing there. Why should you worry about delivering a child-care plan when you can go to Manuka for a Chinese meal? Why would you bother? There are other things to do around this town than deliver policies so let us not worry about policies. Let us just sit on the other side of the chamber and arbitrarily pick pieces out of the most brilliant budget of this century, the budget that has delivered the major tax cuts that we have all been looking for.
Who would ever have believed that we would live in a time when the top marginal tax rate in Australia would start at $150,000? That is a tax cut for everybody in this house; that is more money in your pocket. You can do that when you manage to balance the books. There is a bit of an art to balancing the books and this side of the house has the capacity to do that, and the Australian people know that. The Australian people know that when it comes to economic management there is only one side they can turn to and that is the Liberal-National government, and that is what has happened here.

Senator Santoro—They do that election after election.

Senator JOYCE—They deliver it again and again, and even after having to start with a $96 billion—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Order! There is too much across-the-chamber shouting, interjections and unruly conduct.

Senator JOYCE—Thank you very much, Mr Acting Deputy President. It does rile the blood and get people upset when they understand how we started off with $96 billion on the credit card and we had to pay that off. It was a bit of a struggle but the Australian people went along with us. They had to go through the pain because you had lumbered the credit card with $96 billion worth of trinkets that had to be paid for.

It is through the payment of that debt and the fact that we do not have to pay off $8 billion worth of interest each year that you stacked up on your credit card that we now have the capacity to spend some money on children. That is amply shown through what the Liberal-National government have done in this budget for child-care places. It is going to be a great day when this budget is passed. I imagine that if the Labor Party have some serious problems with it they will be voting against the changes to the tax rates. It would be an absolute piece de resistance to vote against the tax changes and to say to the Australian people: ‘We couldn’t do it, so we’re not going to give it to you.’ They would also be voting against this new package for child care. That is something that remains to be seen. We will hear about it tonight and we will see what Mr Beazley has to say.

With the introduction of child-care management systems there will be more up-to-date data on demand and supply. This information will be made available to potential providers—and that might be former Labor leaders. If necessary, we will provide more information, if any particular intervention is required in the future. Also, there are a range of payments under the Australian government Child Care Support Program that help eligible FDC and OSHC services to be established in areas of high need. We are going to the areas of high need because that is what you have to do. You have to target the areas of need. You can target the areas of need when you have the money to do it, and you get the money to do it when you manage the economy.

Even after paying off the $96 billion that the Labor Party racked up on the credit card for the Australian people, this year we have delivered a $10.8 billion surplus. Is that not amazing? Even after giving all that money back to the Australian people through tax cuts, looking after our defence forces, looking after our health system and giving better rollover relief to small business, we still have $10.8 billion extra in the bank account. I reckon that is a pretty special outcome. It is amazing. I can see my good friend and colleague Senator Scullion sitting over there. Even after protecting our northern fishing waters against incursion from potential poachers, even after putting up the money
for that, we still have $10.8 billion to put in the bank.

That is the difference between the two. The Labor side of the parliament rack money up on the credit card. It is a big day at the shops when the Labor Party get into government. It is a car full of trinkets. It is a booze-swilling affair and lots of fun. Then this side of the parliament have to take 10 years to try to repair the damage. We have done it now and we are delivering back to the Australian people. In delivering back to the Australian people, we hope that if we do the right job they will give us their confidence.

I have to remind the Australian people that Labor have no child-care plan. Everything that has been said today is not backed up in substance by one document. They do not have one document. There is nothing. Is it is just an abstract, airy-fairy attitude of: ‘We don’t think this is going to work. We don’t quite know what to say. We can’t talk about the tax cuts. We can’t talk about what you are doing in defence. We can’t talk about anything else, so we’re going to talk about child care.’

Senator Lundy—That’s not true! We’ve got policies out there, but you wouldn’t know.

Senator Webber interjecting—

The ACTING DEPUTY PRESIDENT—Order!

Senator JOYCE—I cannot hear myself talk.

The ACTING DEPUTY PRESIDENT—Order, senators on my left!

Senator JOYCE—Thank you very much, Mr Acting Deputy President. I can understand why there is this amount of feeling. I can understand the frustration that you must have, because you have no arrows in your quiver to fire at this budget. You are completely at a loss. What do you say about the budget of the century? What can you possibly say about the budget of the century? There is nothing you can say. Every day when you walk through the front doors, how do you answer it? I would be fascinated—

The ACTING DEPUTY PRESIDENT—Order, Senator Joyce! You have less than a minute to go but you should direct your remarks through the chair and not across the chamber.

Senator JOYCE—I apologise for that. I shall endeavour to address my remarks through the chair; I mean that. Labor did not provide a child-care benefit or a child-care tax rebate. So what we are talking about today in this budget is something that the Labor Party did not even consider. They did not have it. We will go through the whole charade of you talking about something that you do not have and us defending the budget of the century. It is a debate we are going to win.

Senator CROSSIN (Northern Territory) (4.56 pm)—After that tirade, that babble, of misinformation and acronyms which Senator Joyce would have no idea of the meaning of, I am really sorry that you did not stay down with the penguins in Antarctica.

The ACTING DEPUTY PRESIDENT (Senator Ferguson)—Order! Senator Crossin, address your remarks through the chair, please.

Senator CROSSIN—I am still very sorry that he did not stay down there with the penguins in Antarctica. I have a friend who is stationed at Casey this year. A couple of dozen of us were prepared to nominate him for an Order of Australia if he kept Senator Joyce down there for the whole of the winter period. Unfortunately, my friend has failed. Senator Joyce must have slipping through their net and got back on the boat to join us
again. Unfortunately, it means we have to put up with ill-informed—

Senator Joyce—Mr Acting Deputy President, I rise on a point of order. It is a ship, not a boat.

The ACTING DEPUTY PRESIDENT—That is a debating point.

Senator CROSSIN—He slipped through the net, got onto the ship and headed back again. Perhaps his time would have been better spent with the penguins down in Antarctica, rather than us having to put up with that tirade. Let us get to the issue of child care and the federal budget. I want to start by reiterating something that the Treasurer, Mr Costello, recently said to the Press Club, on 1 March this year. He said:

I think ... we ought to be looking at making this—Australia—

the most female friendly place on earth.

This government has talked a lot about trying to make this country female friendly, but the details of the budget on Tuesday night tell a very different story, particularly when it comes to the issue of child care. You can stand up and talk for as long as you like—until the penguins waddle home, in fact—about the number of places you have created and how much money you have injected into the child-care industry in this country, but to most women and families who are confronted by having to find child care that really does not mean anything. It means nothing to them.

There are millions of people in this country—in fact, thousands of families—who need to ring centres every week to try to put a child or a prospective child on the child-care waiting list, and they will need to ring centres to see when that child-care place comes up. They need to try to balance their work and family life around the availability of child care. Then, of course, when they are confronted with the cost of child care, they need to work out and analyse whether it is worth the wife or the partner going back to work. They need to work out whether going back to work is cost effective for the family. Most long day care places are charging anywhere between $220 and $260 a week for a full-time place. So you can talk about what you have injected into the system—how many places or how many millions of dollars—but the cold hard fact is that the day-to-day reality for most families in this country is that child care is not accessible and is still unaffordable.

The Howard government is paying lip service to the real concerns of families across Australia by simply suggesting that it is throwing money at child care. My colleagues have talked about the smoke and mirrors trick with the child-care places that have been allocated—that is, the ASHC or after school hours care places, Senator Joyce—in this budget. The allocation of those places does not really address where the need is in this country. The real need in this country is not only in long day care but also in child care for babies. People are looking for child care not only for kids under the age of two but also for babies under the age of one. That child care is the most expensive child care in this country. Why is that? States and territories license and regulate child care and, in order to mind babies up to the age of one, you need a ratio of one carer to five babies. For older babies, it then goes to one carer to 10 babies and, for children over three years of age, you can have one carer to 15 children. So to provide child care to babies under the age of one is actually quite expensive for the provider, and the costs therefore flow on to parents and families. It is quite expensive for families because the child to carer ratio is much more intense.

The details are still to be explored in the Senate budget estimates—and we on this
side look forward to doing that in about three weeks time—but it is apparent from the budget documents that the Treasurer and this government have no real strategy for resolving the real issues, the issues that actually confront families—and, let’s face it, mainly women—when it comes to child care. This budget has a proposal for fixing child care that is simply a con. Families and women know that. There are absolutely no measures in this budget to deal with two of the most critical issues facing the child-care sector—that is, the increased cost of child care and the availability of quality child care. The two issues really facing women who want to use child care, who want to get back into the workforce after they have had a child, is whether there is a place available and what the financial cost of the child care will be for them and their family.

The Treasurer has provided no guarantee that his proposal will lead to any reduction in child-care costs. There is no guarantee that it will increase the availability of child care in the locations where places are needed; in fact, not one extra place is guaranteed. They are made available but only in after school care and family day care—not in long day care. There are no extra places guaranteed. There is no guarantee that child care will be a single cent cheaper and there is no guarantee that the issues of quality will be addressed or will feature in this government’s sight.

I will now turn to the issue of the availability of quality child care and the failure of the Howard government to address this problem. In the Northern Territory the actions of this government have caused real problems for Territory families. There are almost 2,250 families who want to take advantage of long day care either through community care centres or private day care centres such as the ABC Learning Centres, about 750 families who use family day care, and about 1,300 families who use before and after school care and, most likely, vocational care—in fact, I use vocational care for Kate.

Having spent 31 years in the workforce, I have noticed that times have changed a bit when it comes to child care. We needed to utilise grandparents many decades ago. Some families I know are still utilising grandparents because the cost of child care is enormously high. There were not as many child-care centres available in the past. There are many child-care centres available now but nowhere near enough to keep up with demand. The child-care industry has changed, but this is a government that does not recognise or does not want to address the real, significant changes that are occurring and affecting women and their working lives.

I hear from parents all across the Territory, and this morning I heard from women who were at a breakfast that the Labor Party hosted at Parliament House. As is traditional, two days after the budget, the status of women caucus committee hosts a budget breakfast for peak women’s organisations in this country. We did that this morning very successfully. We again heard the comment that there is a chronic shortage of quality child care right across this country. This was reiterated again this morning publicly. The women I had a chance to talk to this morning were not convinced in any way that splashing money at after school care places or at family day care places—making places available but not ensuring that there are schools, providers or operators to take up those places—would address the problem. Women are not convinced that that is where the problem lies. The problem lies in trying to find long day care places for babies.

So what has been the response of the Treasurer to this crisis in child care? While the Treasurer boasts about his $60 million towards addressing the child-care crisis,
simply speaking, Peter Costello is taking the unplanned market based system that has created shortages in long day care and applying it to other types of child care. We have uncapped places in long day care and now we will have uncapped places in after school care. That simply means that you can set up and operate wherever you like, without looking at where the market is, without looking at or analysing supply and demand.

We currently have many thousands of people waiting for long day care centres, and we still have after school hour places that have not been taken up. So why are we feeding more of the same problem into an existing situation that has not been resolved? In other words, this government is adopting the system that is failing parents and providers in many areas of Australia and is simply turning a blind eye to the reasons that family day care places in some areas languish unused, while desperate parents cannot find child care near their work or home.

The Treasurer announced in the budget that the government will get rid of the cap that currently applies to outside school hours care—that is, before and after school, and vacation care, the care you use week in, week out during the traditional periods of school holidays; and family day care, from 1 July this year in fact. The Treasurer claims that this will result in another 25,000 new places at a cost of $60 million over four years. There is no modelling or evidence to support this claim but, more than that, there is no incentive, encouragement or decent policy direction under this government to ensure that any one of those 25,000 new places will actually be used or utilised. They are going to be freed up and funded, but they will just sit out there and languish, without any means by which providers or schools which run after school care programs can pick up and utilise those places.

We know that there are already 67,000 outside school hours places and 30,000 family day care places unused from previous budgets. And they are not being used for a variety of reasons, none of which has anything to do with the cap. Let us just have a look at the 30,000 existing places in family day care, for instance, and the reasons why those positions are not being used. It is simply that family day care work and family day care centres do not attract enough workers to deliver the places. Family day care centres are traditionally run by women who operate a micro child-care centre from their home base. They are probably licensed to have anywhere between three and six children, depending on the age of those children. They have to go to enormous expense to modify their homes to ensure that they meet the regulation and licensing requirements that suit the age of the children—and there are certain requirements they must have. Once they have done all that, they go about mind-ing up to five or six children each day in their own homes.

Many women simply do not want to do it. It is very hard work, particularly when you are there by yourself. Unlike in a child-care centre, you do not have the support and back-up of an additional staff person. The pay is extremely poor—I think it is less than $500 a week—to run a family day care centre from your home. Many women are simply better off staying at home, raising their own children and receiving family tax benefits. There is no incentive to encourage women in our society to become family day care providers. There is nothing there that is going to entice them to pick this up as a career and to modify their homes and put themselves through very hard work which is usually unrewarding and, most particularly, paid extremely poorly.

The Howard government has cut operational subsidies to family day care schemes,
so that makes it even harder to recruit and train family day care workers. The budget does not provide family day carers with any incentive in terms of addressing wage inequity. Around 96 per cent of the child-care workforce, as I said, is female and, under the Howard government, the gap between men’s and women’s wages has gone up 34 per cent. When you put on top of this the changes to the industrial relations system through the Work Choices bill, this gap will become a chasm as this government takes an axe to the minimum wage. The budget proposal completely neglects the fact that child-care workers have been on the national skills shortage list for seven of the last 10 years. And the failures of the Howard government do not stop there. In this budget, the government has failed to reduce the cost burden on families which child care imposes.

Let me talk for a minute about the plight of child-care workers. We can have a debate in this chamber and in this parliament about private child-care centres versus community child-care centres—and that is a debate for another time—but I maintain that, at the end of the day, the bottom line is this: they are all child-care workers. It is similar to the argument that we have about teachers who work in public and non-government schools or in the private school sector. At the end of the day, they are all teachers. In the child-care sector, no matter what kind of facility we are looking at—after school hours care, privatised child-care centres such as ABC or community based child care centres—child-care workers are trying to deliver a top quality service to the community. In fact, I see them as early childhood educators rather than as childminders, babysitters or child-care workers, and I prefer to call them early childhood educators. But, at the end of the day, their salaries are absolutely appalling. So appalling in fact that, to the credit of the Miscellaneous Workers Union, there has been a national test case run to improve the pay outcome of these workers across the country. But we do not see the federal government encouraging child-care providers to pick up that national wage case and flow it on to child-care workers in the industry.

In the Northern Territory, the Miscellaneous Workers Union has won the right to flow on that national wage case to child-care workers in the Territory. Three private child-care providers are resisting that case and want to fight the Miscellaneous Workers Union again in the Industrial Relations Commission. They are refusing to pay it on. Certainly the ABC Learning Centres have agreed to pay it, but my understanding is that four pays have gone by and the workers are still waiting for that wage case to flow into their pay packets. So, as a result, women are actually walking away from child care. They are leaving the industry. They are not about to hang around and still be underpaid and undervalued. That is another crisis in this industry that this government is failing to do anything about.

The national skills shortage list has had child-care workers on it. Why is that? They are undervalued and underpaid, and this government is doing absolutely nothing to encourage and promote the image of child-care workers as valued members—in fact, critical members—of our community. As a woman who wanted to go back into the workforce after I had each of my four children, I relied incredibly on child-care workers to enable me to do that. Part of this budget does not recognise the skill of those women and does nothing to promote and encourage the flow-on of the national wage case, let alone provide any money towards child-care centres to ensure that happens.

The only new child-care money in this budget that we will actually see spent is the $2.3 million that will be allocated to adver-
tise the government’s child-care tax rebate scheme that they announced two years ago. Why is it now going to be used as an advertising scheme in 2006? Because two years ago, in the lead-up to the election, when the 30 per cent tax rebate was announced, people thought it would actually apply immediately. That was pushed out a year—it was not going to apply until 1 July 2005. When Peter Costello had another look at the books, he thought: ‘Oh, gosh, can’t afford that this year. I’d better push it out another year.’ So people will not actually benefit from that 30 per cent tax rebate until they put in their tax return this year. That means, of course, that when they front up to do their tax return this year they will need to have evidence of out-of-pocket child-care expenses for the last two years. It would be good luck if they still have or can find receipts or if the child-care centres can actually provide them. I think that in itself will be another story. (Time expired)

Senator ADAMS (Western Australia) (5.17 pm)—I rise tonight to respond to the motion by Senator Lundy. I think it is very important that those opposite really understand what our government has done. In the 2006-07 budget, the government has committed an extra $120.5 million over four years for the child-care package. This is in addition to the $9.5 billion the Howard government will spend over four years to 2008-09. Compared to Labor, the Howard government has doubled spending on child care, and the number of approved child-care places has doubled, from around 300,000 in 1996 to 600,000 in 2005.

Under Labor, I remember well that mothers did not get too many options or support for child care on their return to work. Under Labor, unemployment was at record levels and real wages were falling. Child care was a very expensive prospect when you were already paying mortgage interest rates at 17 per cent, and the Labor government of the time did not provide a child-care benefit or the child-care tax rebate. Contrast that to the current situation where, under the Howard government, families now receive, on average, over $2,000 per year in child-care benefits.

This government supports families to choose the way they would best like to care for their young children. By comparison, Labor opposed recent legislation to ensure that unused places could be more easily reallocated to areas of need. Their proposed amendment would have locked up places for providers who did not use them for over 12 months at a time, denying parents in need of a place. As well as supporting families with the cost of child care, the Howard government provides other family payments: family tax benefit and the maternity payment. On average, families are receiving $7,700 in family tax benefit.

In other budget initiatives, the government has committed to an additional $120.5 million in the 2006-07 budget to provide an even more responsive child-care system for parents. The government has removed caps on the number of approved child-care places for out of school hours care and family day care. Long day care is already uncapped.

While I am on the subject of caps being removed, I will mention that a young researcher in my office has just given me a copy of an article headed ‘Leak shows Canberra funding delay’. Michelle Grattan wrote this on 7 April 2004 and it includes the following comment:

Yesterday, Victorian Premier Steve Bracks called for federal funding for a shortfall of 3600 outside-school-hours places in Victoria. He urged the Howard Government to lift the cap on after-school care, saying the full level of unmet demand could be 10,000. The northern suburbs of Melbourne were short by more than 1000 places, while the eastern areas needed more than 900
The Victorian Government would provide $10 million to the program if the Federal Government lifted the cap, Mr Bracks said.

I will now continue on the budget initiatives. Ninety-nine per cent of places in the sector will be uncAPPED from 1 July 2006. Services will be able to set up or expand to meet demand where and when it occurs, provided they meet approval, including quality and licensing requirements. Parents using the newly created child-care places will be eligible for subsidised child care through the child-care benefit.

The child-care industry has largely welcomed the moves to uncapped the number of child-care places. I quote from the Canberra Times of Wednesday, 10 May which said:

National Family Day Care Council of Australia chief executive, Linda Latham, said she was 'delighted' there would be more money in the hands of parents.

Ms Latham said the child care sector would be grateful for the removal of the cap on the number of places.

The Australian on Wednesday, 10 May said:

Mission Australia chief, Patrick McClure, said the childcare reforms would help parents.

'Removing limits on subsidised childcare places will assist sole parents moving from welfare to work', he said.

I am also aware that Mr Amgad Botros, the managing director of Western Australian child-care centre Go Bananas in Joondalup, has written to Minister Brough to congratulate him on the news that places will now be uncapped. I would like to read his letter because I think it really gives a very good understanding of how these child-care organisations feel about it. He says:

Dear Minister Brough,

I would like to congratulate you and your department for changing the child care funding structure in relation to Outside School Hours Care (OSHC) Child Care as announced in Tuesday's Federal Budget.

We at Go Bananas provide a high quality, dedicated OSHC service in a stimulating age appropriate environment for children. This is based on a professional development programme which includes physical activities to curb the emerging obesity problem in Australian children.

The recent changes you have made will provide opportunities for new services to be established which will address a real and significant need Australia wide.

Historically, OSHC child care places were regulated and resulted in limited services being provided from long day care child care services. In many instances, these do not provide an age appropriate stimulating environment (i.e. for children aged 5-12 years).

Furthermore, the regulated funding structure meant that parents could not afford this type of child care. Accordingly, parents were forced to stay home or reduce their working hours to care for their children before and after school and during school holidays.

We believe the changes just announced will reduce the red tape involved in establishing dedicated OSHC services and will enable more mothers, in particular, to enter the workforce.

In particular, we acknowledge the work that Dr Mal Washer did in supporting these changes along with your department.

By all accounts a long term win/win outcome for children, their parents and the broader economy!

Yours Sincerely,

Amgad Botros
Managing Director
Go Bananas OSHC Service

As I said, that centre is in Joondalup in Western Australia. This budget measure is one of the most significant changes to the provision of child-care places in Australian public policy history and the most significant change since the Howard government introduced the child-care benefit.

Parents on income support such as parenting payment who are re-entering the workforce will also benefit from this budget
through the increased funding to the JET Child Care Program, which pays almost all of the child-care cost gap between fees and the CCB. The budget also funds improvements to compliance checking and further supports the quality assurance system. These changes mean that the full value from the record level of expenditure in child care made by the Howard government goes to support parents who use approved child care. Parents can be assured that there will be more rigorous financial compliance and checking. This will ensure that parents get even more value for the assistance they get through CCB.

The government has also committed to a significant investment to introduce a new child-care management system to ensure that up-to-date and accurate information is available on supply, demand and use of child care. Parents seeking information on available child care in their local area will be able to ring the child-care access hotline on 1800670305 from 1 July 2006.

Long day care places are already uncapped. A child-care centre can set up when and where they want so long as they meet state and territory licensing and regulations. All places at approved child-care centres are CCB funded, so parents will receive subsidised child care. The Australian government’s role is to assist parents with the cost of child care, not to build or directly provide child care. The government supports parents’ choices about which child-care service they use.

Child-care benefit is available to parents who use any type of approved child-care service. Long day care is not the only type of child care. The government has uncapped family day care, which also provides care for children under five years of age. While we acknowledge that there are some inner-city hotspots for demand for long day care, we also get reports of oversupply of places. The government’s child-care management system will give an accurate picture of demand and supply.

The Howard government has doubled the number of funded places to 600,000 compared to 300,000 in 1996. The government is providing a record level of funding to families for child care through child-care benefit and the child-care tax rebate. On average, families are receiving over $2,000 in child-care benefit per year. In addition, working families will be able to receive the 30 per cent child-care tax rebate—up to $4,000 per child per year on out-of-pocket child-care costs.

Low-income families already get the maximum rate of CCB which, on average, covers around 65 per cent of child-care costs. In addition, the government has increased funding for JET child-care fee assistance for eligible parents looking for work, starting work or in training. This assistance covers most of the child-care fees to help low-income parents’ transition to work. Recently published CPI figures do not account for the benefit of the child-care tax rebate. Costs of care rose at twice the level under the previous Labor government. Recent reports show that the cost of care remains lower in real terms than it did under Labor. We have more than doubled spending compared to Labor.

The Howard government has spent almost $16 billion on child care over the 10 years it has been in power. In comparison, Labor government expenditure on child care was less than $7 billion during its last 10 years in government. People often look at the child-care benefit in isolation. Not only does it provide more support than the previous government, but we have also introduced the child-care tax rebate and increased JET Child Care funding. Families also receive further assistance from the Howard government to
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raise their children: family tax benefit parts A and B, the maternity payment and a range of other services such as parenting programs.

The Australian government has already announced support to recruit more family day care carers. The government provided funding for the ‘Let’s get building’ campaign run by the National Family Day Care Council, which aims to recruit an extra 1,200 carers. The Australian government also announced in last year’s budget the family day care start-up payment of $1,500, which will assist new family day care carers to meet the initial costs of setting up their home based child-care businesses through family day care. With the introduction of child-care management systems there will be more up-to-date data on demand and supply. This information will be made available to potential providers. If necessary we will provide more information if any particular intervention is required in the future. Also, there are a range of payments under the Australian Government Child Care Support Program that help eligible FDC and OSHC services to establish in areas of high need. This unprecedented government initiative, together with other family-friendly funding initiatives announced in the budget, clearly refutes Senator Lundy’s claim that parents’ child-care needs are being ignored.

I would like to continue on Labor’s record. Labor has no child-care plan. Child-care costs rose at twice the rate under Labor as under the Howard government. Labor only provided half the level of funding and places that are provided currently. Labor did not provide a child-care benefit or the child-care tax rebate. Labor opposed recent legislation to ensure that unused places could be more easily reallocated to areas of need. Labor’s proposed amendment would have locked up places with providers who did not use them for over 12 months at a time, thus denying parents in need of a place. Mothers did not get too many options on returning to work or getting support for child-care choices under Labor, when there were record levels of unemployment and falling real wages. Child care was a very expensive prospect when you were already paying for interest rates of 17 per cent and getting a job was very difficult. I hope that some of the issues I have raised will go towards refuting Senator Lundy’s motion.

Senator LUDWIG (Queensland) (5.33 pm)—I rise to speak on this motion. Many would think I would not have an interest in this area because, of course, I deal with justice, customs and a range of other issues. But I can speak from personal experience, as a member of a family with children who have experienced child care. They are now a little older, but let me say from the outset that we went through the range of issues that have been raised today and it disappoints me even more to find that the difficulties that confronted my family then seem to have been continued and exacerbated under the coalition government. We had the opportunity of using day care and other facilities to allow both my partner and I to work. But when you look at the Howard government’s approach to this issue you see that it leaves a lot to be desired.

For those who may have just joined the debate, the motion went to the Senate condemning the Howard government for ignoring in the budget the urgent needs of parents struggling with the cost, availability and quality of child care. It particularly noted the incompetence of the Howard government in allocating $60 million for child-care places that will never be delivered, given there are already 100,000 unallocated places due mainly to the shortages of child-care professionals. The next thing that was noted was the failure to bring forward the 30 per cent rebate on out-of-pocket child-care expenses, despite criticism of the rebate from the gov-

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ernment’s own backbench and the fact that the child-care fees are rising at a rate far in excess of that of other goods and services. Of course, parents who cannot find child care clearly cannot work and that adds to the skills shortage. But let me deal with those in turn.

Two days ago in the House we saw this government, which is becoming increasingly out of touch, abandon Australian families and relegate the issue of child care to the too-hard basket. It is now clear that this government has totally run out of ideas and true leadership when it comes to the burgeoning child-care crisis in neighbourhoods across Australia. I think Mr Peter Costello and his government are trying to con Australian families on child care. It is almost like the pea and thimble trick, trying to hide the pea and make you guess where the empty thimble is. But of course this issue that hurts working families, and is more serious than that. This tired government has given up on trying to provide safe, affordable and quality child care for Australian families. That is where we are today.

In fact, it has gotten worse under this government, not better. You would expect under this government that there could have been opportunities, because we had continuously pointed out the failings for the last couple of years. It could have taken a leaf out of our book and said, ‘The Labor Party got it right on this issue and we should fix it.’ It has certainly taken many other leaves out of our book, but not on this issue. It seems to be intent on hurting families in this way.

Take a look at the government’s approach to the uncapping issue. The government announced that it will get rid of the cap that currently applies to outside school hours care and family day care from 1 July 2006. It has claimed that this will result in 25,000 new places at a cost of $60.2 million over four years. Figures, figures, figures—that is all we get from this government. This government is becoming out of touch because families do not want figures; families want action out of this government, and they are not getting it. One hand of this government does not seem to know what the other is doing. There are still 67,000 outside school hour places and 30,000 family day care places that were promised in previous budgets but are unused.

This is an obvious failure by the government to show any leadership on this very important issue for working families. The solution that the government came up with is to promise more money, which they say will create 25,000 new places over four years, with a price tag of $60.2 million. But, sadly, this completely misses the mark. This is where they should have followed the Labor Party—we had pointed out the problems—but they chose not to. The short fix was the political fix, which was to say, ‘We are throwing in 25,000 new places at a cost of $60.2 million.’ The unwritten line is: ‘but not really’, because they are not really addressing the real issue. Removing the cap on child-care places is not going to solve the problem when we have oversupply in some areas and chronic shortages in others.

One of the issues that this government has failed to address is ensuring that the age-dependent places are available. For instance, there is no mechanism in place to ensure that early child care is provided. Infants from six weeks to two years old clearly require intensive supervision, which is why two carers are required for eight children. The public expect that; families expect that; I would expect that. Of course it is extremely labour intensive, and rightly so. But none of the subsidies or payments reflects this.

If you compare two hypothetical child-care facilities, both employing two carers, where one centre caters for six-week- to two-year-
year-olds and the other one caters for three- to five-year-olds, the centre with very young infants can offer a maximum of eight places, whereas the centre for three- to five-year-olds can offer 24 places. In this hypothetical example, these two centres have similar overheads, such as rent and wages, which is not unusual in the same area or city. They would also have similar wage structures. But this government treats these centres as the same. It is no wonder, when you look at those types of outcomes, that there are massive shortages of infant care. It is prohibitively expensive for child-care centres to provide infant care. And what is this government doing about it? Nothing at all. Every time a working Australian walks into a child-care centre and is told that there is no infant care available, they have this government to thank for it. Costs go up. Working families find that child-care fees do rise. It is not surprising. Centres have overheads and wages to meet, and their costs increase—just like insurance premiums, petrol prices and interest rates.

Recently, a family in Queensland told my office about the increasing strain on their family budget. This is a middle-income family with both parents working full time, with a combined income of around $100,000. The government has finally provided them with $19.60 a week in tax relief, but this has already been eaten up by the $30 per week in extra fuel costs, $77 each month in higher interest on their mortgage and the like and child-care fees that are rising above the inflation rate. In some respects it is the people on middle incomes who are finding these costs difficult. One would not think that at first blush. Both parents want to continue working and participate in the labour market, they want access to quality, affordable child-care facilities and they want them within reasonable reach of their home or work, depending on their arrangements. They want the child-care facilities to be able to cater to their needs. They do not expect that it is going to be easy and they do not expect child care to be provided while ignoring the associated costs, but they do expect this government to do more than what it has been doing to date. They do expect a little bit more from this government that what it has provided in this budget.

Look at the other side of the coin and at how many people out there who are care givers and who could otherwise be in the workforce—I dare say that that is a substantial number. In many cases, those parents who cannot find child care also then cannot find work. It is not that they cannot find work, but they cannot find the opportunity to participate in the labour market, because they are primary care givers.

The ABS reports that up to 160,000 women—although of course there are men who are child-care providers—want to work but cannot, because of a lack of care for their children. This country, as we have said, has no plan for skills. This country is not even looking at how it maximises its use of currently available skills in those that are locked into care but who otherwise want to participate in the workforce. And why? It is because the government does not have a plan to address this issue—to ensure that there are skills. I was shocked today to hear Senator Vanstone in question time seeming to blame the government of some 15 years ago. The problem is that the government of the last 10 years has had the responsibility of dealing with this and has not. It has failed to adequately address the broader issues. It has chosen not to. When you look at the government’s approach, you see that in 1996 it had the opportunity of continuing programs to ensure that there was skills development and to ensure that we would be able to meet our needs for a range of apprentices who would ultimately become tradespersons in
trades ranging from mechanical to electrical to bakers and butchers and all the other areas. But the government has not put in a plan to ensure that this issue is addressed.

One area where the government could help is child care. Many of the Australian mums and dads looking for child care are skilled workers temporarily out of the labour market. They could return to work if there were adequate child-care facilities. The government could ensure that those mums and dads were skilled to meet needs in areas that are currently there and available but, as I have said, it has chosen to make it more and more difficult for them to enter the labour market.

If you hold this issue up to the light, you can see that the lack of child care is contributing to this country’s skills shortage right when we need skilled workers the most. Last week, the Reserve Bank identified the shortage of skilled workers as one of the significant constraints on our economy; it is putting pressure on inflation and upward pressure on interest rates. There are good examples of skilled workers who want to work but cannot because of the unavailability or lack of affordable child care. To see that brings shame on this government. We have a government that has managed—quite adeptly, when you think about it—to bring about a shortage and a surplus at the same time. It is quite an achievement for a government to be able to do both at the same time. Looking at the overall picture you could take the view that it is humerus, but this is deadly serious. Parents who want to work are finding it really tough not on one but on a number of fronts, and the child-care shortage just adds to their problems.

Turning now to the 30 per cent child-care rebate, the Howard government grows more arrogant every day. The only money from the budget that is guaranteed to be spent is the $2.3 million earmarked for advertising the 30 per cent rebate on out-of-pocket child-care expenses. This is the same rebate that the government has been talking about for years and still has not addressed. The advertising campaign should highlight the fact that many parents are not eligible for the rebate and that few families are going to receive anything like the promised $4,000. Let us have another look at that Queensland family. It is not going to receive the promised $4,000—probably nowhere near it. Depending on how much the child-care centre charges, they will probably receive just over half that amount. The government has demonstrated that it lacks leadership and direction when it comes to this important area of child care in Australia.

Does the government’s so-called solution provide more guaranteed places? I think that argument has been well and truly made, and the answer is no, it does not. The government has not been able to address that issue. Has the government made child care more affordable? The answer, again, is no. Has the government improved or brought about better quality child care? The answer is no; it is as simple as that. Has the government committed money to planning to ensure that there are no shortfalls? The problem in child care of course is that there is a surplus in one area and a deficit in another. Has the government sought or planned to make sure that there is child care available? No. Despite a range of promises, it has not been able to fix it, and this budget does not fix it.

Child care is the government’s responsibility. Senator Vanstone would like to blame others. I think that is the problem with this government: it is actually starting to believe its own rhetoric. It is starting to believe that it is not its fault when things go wrong and that it is somehow the opposition’s fault for when it was in government 10 years ago. The government fails to take responsibility for its
day-to-day management and for its future plans, which it should have started on in 1996 when it came into government but did not. That is when the government should have started its planning, but it failed.

Now the government are turning around asking, ‘Who is to blame because we have failed to plan for our future needs and for the future needs of our children?’ The government say, ‘We have to find an excuse and blame someone.’ That is what the government would easily do; they sought to blame the Labor Party, as it was the closest thing they were able to latch on to. It is about time the government let go of that crutch and started to take responsibility for their own failings, because Australia cannot afford for the government to sit on their heels and do nothing. Australia cannot afford for the government to start and continue the blame game. Australia cannot afford for the government to not take seriously the inequities, the difficulties, the oversupply and the undersupply in this area and to not put in a plan to fix them. The government cannot continue to simply say: ‘Management is not our prerogative. We will leave it to the invisible hand of the market to sort out.’

It does not need to go to the other extreme of a planned economy. No-one is saying that. However, it does need to take a strategic view and plan and recognise that it does have a role to play in the market, it does have a role to assist the market, it does have a role to provide incentive in the market, it does have a role to ensure that the market does in fact work and, where the market fails, it does have a role to ensure that it can correct that failure. This government has failed to recognise those issues and rather left them to that old, invisible hand and hopes that works.

Of course, as I have said the government has not committed any money to planning, even in child care. Despite promising to expand the existing access hotline so parents can find out what vacancies exist in the area, no funding has been announced for the phone line. You have to ask yourself: ‘Where is that going to come from? Where is the phone access to a hotline going to actually be implemented from?’ The government has also announced it would introduce a child-care management system, which appears to be a start to collecting data and better managing child-care places, but strangely there is no money for that. Why is there no money for that? The government is now in position which only reinforces what I have said—that there is no plan. The government is going to promise a plan and blame the Labor Party for its failures. (Time expired)

Senator KEMP (Victoria—Minister for the Arts and Sport) (5.53 pm)—I was not planning to speak, but I have been listening very carefully, as I always do, to the senator’s remarks and I feel that it is important to put a number of things on the record so that people who may read the Hansard or may have the opportunity to hear this broadcast will see the very large gaps and, I have to say—I regret to say it—the touch of hypocrisy in the Labor Party position. We have heard a number of Labor Party contributions on this child-care motion. Child care is important. It is important to this government and, one would think from the speeches we have heard, it is important to the Labor Party.

I will be looking at Mr Beazley’s speech this evening, as it appears that Labor wishes to spend even more on child care. Let us see whether that occurs in the alternative budget being presented this evening. Labor wants to make major changes—I will not call them reforms—to child care. Let us see whether it is given a priority in Mr Beazley’s budget reply tonight. I suspect that, like in so many things, when it comes to taking action the Labor Party will be MIA—missing in action. Those who have listened to the senator’s
speech will not be surprised if little, if anything, of substance is delivered in terms of Labor Party policy. It is worth putting on record that the government has committed an additional $120.5 million in the 2006-07 budget to provide an even more responsive child-care system for parents. This is a very significant increase in funding. But the Labor Party thinks that more money should be put in. We will see in the alternative budget.

The government has removed, as a number of my colleagues have said, the caps on the number of approved child-care places for out of school hours care and family day care. Long day care is already uncapped. Let us look at the historical statistics on this. These have been quoted in the debate today, but it is worth making the point. Apparently the Labor Party gave a high priority to child care when it was in government. How many child-care place were there when Senator Sherry was on the government benches? In 1996, there were 300,000 places. In 2005, there were 600,000 places. That is astonishing growth, unmatched by anything that Labor has been able to put up over the years.

It is often said in this chamber that it is a great pity the Labor Party did not spend an extra year in office, because all those wonderful things that they had forgotten to do in their 13 or so years in office could have all been done in that final year. The trouble is, the Labor Party comes with form, and when you look at that form you find that the Labor Party talks a lot and complains a lot but does not deliver and does not deliver real policy. Senator Sherry being here in the chamber reminds me that we had to wait eight years for a superannuation policy from him. That is a very long time to be producing a superannuation policy. The truth is, I think the Labor Party and, indeed, Senator Sherry, who is meant to be their in-house expert on superannuation, would have been stunned by the magnificent reforms that the Treasurer announced on Tuesday. When great things happen, the Labor Party often say, ‘That was our policy.’ I do not think anyone is saying that Senator Sherry produced a policy which could have matched the major reforms that have been undertaken in super and have been very widely welcomed by the wider community.

The parents using child-care places will be eligible for subsidised child care through the child-care benefit, and this is one of the most significant changes to the provision of child-care places in Australian public policy history. It is a big statement, and that is the case—it is the most significant change since the Howard government introduced the child-care benefit. Parents on income support, such as the parenting payment, who are re-entering the workforce will also benefit from this budget with increased funding to the JET Child Care program, which pays almost all the child-care gap between fees and CCB.

This government has brought down one of the great reforming budgets in Australian political history. I think the stunned looks on the faces of the Labor Party when the Treasurer announced the very wide-ranging changes, from tax reform through, as we mentioned, to child care to superannuation to infrastructure to research, showed that this is a government that does have a vision. This is a government that—

Senator George Campbell interjecting—

Senator KEMP—Senator George Campbell is again complaining, as the Labor Party does. The great problem for the Labor Party is that the Labor Party complains, moans and groans about this budget but everywhere the Treasurer goes he is cheered for the reforms that he has been able to bring about. We will all be looking tonight, Senator George Campbell, to what your leader can produce.

Debate interrupted.
Sitting suspended from 6.00 pm to 8.00 pm

BUDGET

Statement and Documents

Debate resumed from 9 May, on motion by Senator Minchin:

That the Senate take note of the Budget statement and documents.

Senator SHERRY (Tasmania) (8.02 pm)—I seek leave to incorporate a very fine speech by the Leader of the Opposition, the Hon. Kim Beazley.

Leave granted.

The incorporated speech read as follows—

This Budget fails middle Australia and mortgages our kids’ future. That’s why tonight I want to speak to the families of Australia about our shared hopes and aspirations for the future.

I want to speak directly to the millions of middle Australians at home with their families. In the suburbs, the country towns, the cities and the bush. This is for them. Probably they’re just finishing dinner, washing the dishes, helping the kids with their homework. All the time trying to keep half an eye on the television.

Managing the competing demands that crowd each waking moment. Sitting at tables in kitchens where the magnets chase the bills around the fridge door until pay day.

Figuring out if there’s enough in the bank to cover this month’s mortgage. Or if there’s enough petrol in the car to get to the childcare centre, then school, then to work and then home.

Doing the mental arithmetic of family life. Tired at the end of another working day. Knowing it starts all over again tomorrow.

They’re the ones I really want to speak to. Not the politicians. Not the journalists.

The people who are important to me and crucial to our nation’s future—the families of middle Australia. The ones who’ve built our prosperity. Because after 10 long years of the Howard Government they’re the ones who need a break. Not an easy ride or a hand out—just a fair go.

Reward for all the effort they’ve put in to build our national wealth. Recognition that our future prosperity rests squarely on them.

I have one critical message for them: millions of middle Australian families will build the next generation of prosperity. And I will reward them for it, when they do.

Middle Australians need a government that makes their lives simpler not more complicated; that lightens the load not weighs them down.

A government that gives parents the time and flexibility they need to do the most important job there is—raising the next generation.

A government that looks at those kids and sees the prosperous future of an entire nation. That understands that investment in the hopes and aspirations of Australian families brings the dividend of a modern dynamic economy.

Mr Speaker, through you, I say this to the families of middle Australia.

Tonight I seek a binding agreement between us: between you and the government I’ll lead. Tonight I announce my Pact with Middle Australia.

Because, quite simply, it’s your hard work, the hard slog of middle Australia that has generated our economic good fortune.

And looking ahead, Australia is counting on you to do the next round of heavy lifting that will deliver future prosperity. We’re relying on you to drive a new wave of economic prosperity and it’s about time you got something back.

So, Mr Speaker, my Pact with Middle Australia has, at its core, one promise. Through you, Mr Speaker, it is this. Under a Beazley Labor Government: when you put in, you get back.

Here’s the deal. When you work hard I’ll make sure you get a tax system that rewards you. When you put in those long hours at work and at home, I’ll give you more time with the kids.

When you do your job properly you’ll have the certainty that job security provides. When you work overtime and on public holidays I will protect your penalty rates.

When you want to learn and train, I’ll ensure you get all the support you need.
I will ensure that when you put in, you get back. And I will correct a great wrong imposed on middle Australia. The people who built the good times but who’ve long been duded by the Government and again this week by the Treasurer.


Day in day out, they’re putting in and getting too little back. Giving so much. Working so hard. For so little in return.

No wonder they’re thinking “if the economy is so good why am I under so much pressure?” And why paying the bills and filling the car and servicing the mortgage gets tougher, not easier. Why they’re forced to endure all the pain of extreme industrial relations changes without any economic gain for the country.

How can this Government be so pleased with itself? They’ve duded middle Australian families and mortgaged our kids’ future.

**MY PACT WITH MIDDLE AUSTRALIA**

Mr Speaker, the Treasurer has a Budget for today—we have a pact for tomorrow.

He smirks at the future—I embrace it. I look ahead to a deal with the millions of Australians he’s neglected. A deal that will guarantee our future prosperity.

My Pact with Middle Australia has that one core promise.

When you put in, you get back. And, tonight, five key commitments to begin.

**Childcare**

First, new childcare centres at schools.

When you want to go back to work after having a child, you shouldn’t have to face the dreaded “double drop off”.

My plan for childcare centres at schools ends the dreaded “double drop-off” of kids—for the mums and dads who’ve got kids at childcare and kids at school.

For a family in Lonsdale it means more time at home together; less time in the car. For the economy it means increased workforce participation.

I want to meet the Australian economy’s pressing need for more skilled workers. My government will do its bit by giving parents the incentive to work without killing family life.

That’s why I announce tonight that a Federal Labor Government will provide $200 million to establish 260 new childcare centres on primary school grounds and other community land.

And we will ensure that these places go to the areas in our suburbs and towns where childcare shortages mean they’re needed most. So that parents can work knowing their kids are getting an educational experience that will set them up for life.

I will have more to say about childcare in the lead up to the next election. But I make this commitment tonight: When Australian families put in by working hard, I’ll put in. I’ll get rid of the “double drop off”.

**Skills**

Second, when Australians want to learn a traditional trade to become one of the skilled workers the country desperately needs, they shouldn’t have to pay.

My Government will get rid of TAFE fees for the traditional trades. If you do a traditional apprenticeship, you won’t pay TAFE fees.

I want to get more of the skilled workers our economy needs. So we need to get rid of TAFE fees for the 60,000 traditional apprentices who start training each year.

Labor’s priority is clear: train Australians first and train Australians now.

That’s why I announce tonight that a Federal Labor Government will set up what I call Skills Accounts to help Australian families save for training and skills. And we will make an initial deposit of $800 per year, for up to four years, in an apprentice’s Skills Account to get rid of up-front TAFE fees.
Eight hundred dollars a year for the kid in Blacktown who wants to be a plumber. Eight hundred dollars a year for kids in Wynnum and Townsville who want to train to be electricians, welders, motor mechanics, chefs and hairdressers.

To help solve Australia’s massive shortage of childcare workers, I will extend my Skills Account plan to get rid of TAFE fees for the thousands of Australian trainee child carers who start courses each year.

So I announce tonight that a Federal Labor Government will get rid of TAFE fees for eligible childcare courses by making an initial deposit of $1200 per year, for up to two years, in a trainee’s Skills Account.

Young people training to teach and care for our kids can use this to pay upfront fees at a TAFE or eligible provider. Or they can use it for materials and resources charges.

Mr Speaker, this country made a mistake when we turned our back on trades education in schools. So tonight I make these commitments. Labor will give every Australian student the opportunity to study at specialised trades schools.

We will give younger students the chance to try their hand at a trade with the Trade Taster Program. For older students there’ll be more school-based apprenticeships.

I’ll invest in real apprenticeship schemes not the Government’s fake apprenticeships that use our kids as cheap labour and give them no skills.

And I’ll deliver a $2,000 Trade Completion bonus to encourage kids to finish their courses and produce an extra 10,000 tradespeople. The plumbers, the builders, the childcare workers that we need now.

Mr Speaker, my commitment tonight is this. When Australian kids want to learn a new trade my government will be there to help them. And when mums and dads need childcare to go back to work, I’ll make sure they can find the childcare they need.

Unfair dismissal

Third, no unfair dismissals. When you do the right thing at work, you won’t be unfairly dismissed.

I will tear up this Government’s extreme industrial relations laws and establish genuine protection for anyone who’s unfairly dismissed.

The Howard Government’s law gives supervisors and bosses the green light to sack a worker for any reason or no reason at all.

What we need are balanced laws to protect both employers and employees from rogue behaviour—not one-sided rules that give employers all power over their staff. A system that gets Australian values back into the way we work.

That’s why I announce tonight that a Federal Labor Government will put in place a new system to protect working Australians from the threat of unfair dismissal.

A simple process for resolving claims which gets the balance right. Protecting both sides. Plus we’ll let employers and employees negotiate over family friendly conditions and safety training.

This is my commitment to working Australians. When you put in every day to build our future prosperity, I’ll give you the job security you deserve.

Foreign apprentices

Fourth, no foreign apprentices. If you’re prepared to learn a trade, you won’t have to compete with foreign apprentices.

I want young Australians to get the training opportunities they deserve and which the Australian economy so badly needs.

As long as young Australians in Launceston and Gosford are being turned away from apprenticeships and TAFE, I won’t allow foreign apprentices to take away their chances in life.

We’ve already had 270,000 extra skilled workers enter this country over the last 10 years but 300,000 Australians have been turned away from TAFE. And we’re seeing Australians laid off while foreign workers take their places on conditions no one should have to put up with.

Now, the Prime Minister’s allowing foreign apprentices to come to Australia and take apprenticeship places here. He’s even giving businesses incentives to take them on.

These foreign apprentices are headed to regional areas where youth unemployment is already too high and wages too low. And to get their visas,
foreign apprentices must accept whatever wages and conditions are on offer. And young Aussies have to compete with them.

Over time, this will ruin the job prospects of young Australians.

That’s why I announce tonight that a Federal Labor Government will abolish foreign apprenticeship visas.

No government I lead will import foreign apprentices from overseas while Aussie kids are turned away from training. It’s just plain wrong.

So this is my commitment: train our kids first, before you train anyone else’s.

**Broadband**

Fifth, real broadband for your kids and your business.

If you invest in a computer for your kids’ education, they’ll have real broadband to equip them for the learning of the future.

Australia needs a “fibre-to-the-node” broadband network across the country. To you and me, that means a broadband system twenty five times faster than the sort of speeds available in Australia today.

That’s why I announce tonight that a Federal Labor Government will invest in a joint venture with telecommunications companies to build this super fast computer network.

Labor would draw on the $757 million Broadband Connect program as well as provide an equity injection from the $2 billion earmarked for the Communications Fund to deliver the public funding of this partnership with the private sector.

This will deliver broadband that can instantly download documentaries, educational software and digital books.

Broadband which can host virtual classrooms where children could video conference around Australia. A digital School of the Air—for all. Plus we’ll offer a ‘clean feed’ to parents who want to make sure their kids are learning on the internet, not exposed to pornography and violence.

Half a century ago, Labor imagined an Australia where every child had a desk with a lamp to study on at night.

Tonight this is my commitment. When you put a computer on that desk, I’ll give you a connection that plugs you into the world and brings every book ever written into your home.

This is an investment in national infrastructure that equips our kids for the future. Part of my plan to rebuild Australia’s crumbling road, rail, ports, electricity and communications networks.

We’ll take the politics out of infrastructure spending, with an independent expert body—Infrastructure Australia. We’ll make it easier for super funds to invest in infrastructure, and we’ll set up a Building Australia Fund to invest in the productive infrastructure of the future.

When Australians want to compete in the world I’ll make sure they’ve got the 21st century infrastructure to take on the world’s best, and win.

**A PACT FOR FUTURE PROSPERITY**

Mr Speaker, why a Pact like this for middle Australia? Because it’s middle Australia that’s driven 14 years of prosperity.

With proper rewards and the right incentives, middle Australia will have the capacity and the will to lead the next generation of economic growth too.

Right now our country has great opportunities. And I have great hopes for our future—an unshakeable faith in the Australian people. I know their talent, ingenuity, hard work and good humour is unmatched. The Beaconsfield miracle is proof enough of that. If only I could say the same of this Government.

If only I saw at the Cabinet table the same values I see at the kitchen tables of middle Australia.

World economic conditions have given this Government the best luck and the best opportunities. And a real chance to do something for the nation, not just for themselves.

Australia is part of the fastest growing region in a world economy growing at its fastest rate in thirty years. This on top of:

- Mineral prices soaring to record levels.
- Export prices at their best in half a century.
Globally, lower interest rates than anyone can remember.

The minerals boom is putting an extra $160 billion straight into this Government’s pockets. There’s never been anything like it. Yet where’s it gone?

What can we point to that lasts?

With the minerals boom, the Treasurer had a once-in-a-lifetime chance in this Budget to set Australia up for the 21st century and he blew it.

Just imagine what we could be achieving.

Just imagine if this Government was making real investments in our schools, TAFE colleges, universities and research labs, so that we led the world with the best trained workforce.

Instead Australia is the only advanced country that’s actually cut its public investment in training in professions and trades.

Imagine if they were building a communications network that gave all Australians access to world class internet infrastructure.

Instead we lag behind, with internet infrastructure that leaves us trailing the rest of the developed world and even Slovenia and the Slovak Republic.

Imagine if people could drive through cities like Sydney, Brisbane and Melbourne without it taking half a day’s work to get to work.

Imagine if we had a Government with the foresight to deal with climate change now, so that great Australian icons like the Great Barrier Reef and Kakadu are still there for our grandkids.

Imagine if we had a Government which thought enough of pensioners to give them a decent break.

Imagine if infrastructure decisions were taken in the national interest not just the interests of the Nationals.

Imagine if we had a government that governed for middle Australian families, instead of governing for themselves and their mates.

If this Government thought that any of these things was important—it would be doing more. Much more. More to lift workforce participation and productivity. More to build a better future for our kids. To fireproof our economy from future risks. Nation building.

Instead our kids’ inheritance from this Government is foreign debt reaching half a trillion dollars, and growing faster than ever before. One of the world’s highest foreign debts.

For our kids—this Government leaves a massive burden—already $500 million of interest payments every single week.

While Australia racks up even more debt with the worst run of trade deficits in our history. Even the Treasurer’s own Department has warned this year that Australia’s foreign liabilities “cannot continue to rise forever”.

Things are good right now, because of the years of hard slog by middle Australia. But according to the Treasurer he’s the one who’s created the good times.

You only have to look at his smug capering on the day interest rates went up, like Wile E Coyote in momentary triumph before the anvil falls, to see what he really thinks of middle Australia.

For 10 years he’s ignored the long hours they’ve put in, the sacrifices they’ve made to achieve our nation’s economic success. And still he refuses to acknowledge that, if we’re serious about building our future prosperity, middle Australia must start getting something back.

Mr Speaker, what has this Budget done?

When the Budget party’s over, when the back slapping’s done, when the tuxedo’s been dry cleaned and the champagne’s run out—what’s left in the morning? Nothing to help middle Australia.

Nothing to help middle Australia build the nation’s future prosperity. Because to build that future prosperity, middle Australia needs a lot more than just tax relief.

Mr Speaker, I support the modest, overdue tax relief middle Australian families received in the Budget. They’ll need every cent of it. Especially when they’re facing the triple whammy of higher interest rates, higher petrol prices, and extreme industrial relations changes.

So of course I welcome this tax break for the families of middle Australia. But I make this point:

No tax cut can make up for losing your penalty rates.
No tax cut can make up for being unfairly dismissed.
No tax cut can find you extra time to spend with your family.
And no tax cut will give the Ballarat apprentice welders back the jobs they lost to Chinese workers.
My point is this. Sure, the Government is offering tax cuts. I support those tax cuts. But I’ll also deliver job security, education and training, childcare and nation building.
That’s my Pact with Middle Australia.
Because, like me, middle Australia is asking: what else?
Where’s the down payment on the future?
Where’s the investment in skills, in kids, in families?
Where is the vision Australia needs?
The vision we need to build prosperity.
This Budget fails middle Australia and mortgages our future. It has no plan to take pressure off interest rates. If interest rates go up again, middle Australia knows who to blame—the Prime Minister.
Prime Minister, if your failure to fix the skills crisis forces interest rates up again—the buck stops with you.
If your failure to show national leadership on infrastructure forces interest rates up again—the buck stops with you.
And if your failure to turn around Australia’s current account deficit forces interest rates up again—the buck stops with you.
Mr Speaker there are dangerous holes in this Budget.
There’s no plan to free us from being hostage to Middle Eastern oil prices—no plan to develop new Australian fuels.
No plan to fix our crumbling infrastructure—clogged roads, slow internet connection, near-empty dams and over-burdened ports.
No plan to stop kids being turned away from TAFE colleges, or if they get into uni—ending up with a debt the size of a home mortgage.

No plan to tackle the growing crisis in kids’ health.
No plan for childcare.
I have these plans. I have these ambitions. And I can do these things because there are some things I won’t be spending money on.
Unlike the Howard Government I won’t splurge a billion dollars on advertising. I won’t spend a billion dollars on their war in Iraq. The wrong war. A war where Australian money bought Saddam’s bullets.
And I will never spend half a billion dollars with lawyers and consultants to impose a nasty, American dog-eat-dog industrial relations system on hardworking, decent Australians.
Mr Speaker, this Government’s legacy is this: a nation not equipped for the future. An economy vulnerable when the sun stops shining. A Government that doesn’t reward middle Australia.
Under their watch, the boom times aren’t building future prosperity. They’re building foreign debt.
This Government isn’t laying the solid foundation our kids need for a prosperous future. That’s what middle Australia needs—a government that will build a future for our kids and the country. One that builds prosperity.
A government with new economic policies, based on Australian values. One that will protect the Australian way of life. A Government with my Blueprints to tackle skills and infrastructure; climate change and children’s health; Australian fuels and national security.
A Government with my Pact with Middle Australia.

• A Pact to end the “double drop-off”;
• To get rid of TAFE fees in trades and childcare;
• To end unfair dismissals;
• To train Australians first; and
• To give our kids a high tech future.

In short, a Pact with one crucial promise.
When you put in, you get back.
A promise at the heart of every policy I will take to the next election.
Mr Speaker, the Treasurer has always been arrogant. He hasn’t changed. But the Prime Minister has changed. Remember his annual family holidays at Hawks Nest? Not anymore. Now it’s Washington, Ottawa, Dublin.

When the Prime Minister leaves Australia tomorrow, I’ll stay and fight. I’ll stay and fight for middle Australia. I won’t cut and run from a debate on our national future. Or from an election fought in middle Australia.

And when I’m Prime Minister expect three things.

Expect nation building.
Expect Australian values at work.
Most of all, expect me to reward the hard work of middle Australia.

Because under a Beazley Labor Government: when you put in, you get back.

My Pact with Middle Australia is the way forward.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (8.03 pm)—The Treasurer told the parliament on Tuesday night that tax breaks would carry Australia into the next decade. The Democrats are not convinced, and that is what I want to talk about tonight. In our view, the Treasurer’s budget comes from a vision of Australia seen through the eyes of political strategists who cannot and do not see beyond the next election. This budget is about votes and not about nation building. In fact, there is very little by way of planning in this budget for those who are not couples with one or two high incomes, with 2.5 children at school or those not 60 and over with a generous nest egg on which to retire. This budget has been prepared with little interest in fact in the social, economic and environmental mess that is being left behind for the next generation of Australians.

First, let us acknowledge that the coffers are full. The government will spend nearly $217 billion next year and still have $10 billion left over. Or will it? Treasury projected a surplus for 2005-06 of $11 billion, but it was $8.4 billion out and it still has not explained where it went wrong. The Treasurer tells us that he has $8 billion a year more to spend because he is no longer paying interest on the debt that was there before he sold Telstra and before funding to universities and the ABC was so savagely cut. The remainder of Telstra will net another $25 billion; Medibank and the Snowy Hydro will net a few billion more. Those moneys are destined for the Future Fund, where we hope it will earn as much as those entities once earned in profits.

Australia is the lucky country right now. Jobs are up, wages are up, China is buying our coal and income from the mining sector—from selling off our mineral wealth—is putting $30 billion more into Treasury than it did in 1996. We are riding the greatest commodities boom and the fastest global growth in our history. Sales of iron ore, zinc, aluminium and copper are the highest ever. The economy is slowing now, but after 15 years of sustained growth. Access Economics say revenue is $34 billion higher than it was projected to be just four years ago.

But there is another side of the story. Manufacturing cannot compete against cheap imports and its share of the value adding industry declined from 15 per cent to 12 per cent over the Howard decade. The annual trade deficit was $24.8 billion in March this year, and it is climbing. Altogether, Australia owes more than $450 billion in foreign debt, and that is a lot higher than the $193 billion in 1996 that the Treasurer relied upon so heavily to paint the opposition as economic mismanagers. Ordinary homeowners are juggling the mortgage and child care, and motorists—particularly those stuck with gas guzzlers—are paying 25c more a litre than they were only 12 months ago. The ABS says bankruptcies are at their highest level since 2001, and mortgage repayment levels
are at an all time low. Household debt increased by a colossal 221 per cent to $927 billion over the last decade, and average household debts rose 174 per cent. Interest rates are now 5.75 per cent and about $11 in every $100 in income is now being used to pay back interest on debt. That is up from $7 in 1996.

Since 1996 the median price of established houses in capital cities has risen 144 per cent. These are figures to be reckoned with, but you will not read about them in this budget, and that is why Peter Costello is spending $6.9 billion a year on tax cuts and giving half a million more families family tax benefits. He knows now that it is a battle to keep your head above water and he needs to be seen to be doing something to help. Of course, if you are a family on an income of $20,000 or $30,000, the handouts probably will not even match your higher petrol costs.

There will be $2.48 million spent on large families of three children—an extra $5 a week as an incentive to have a third child. There is $1.5 billion a year extra on defence and security. There are business tax cuts and a massive $6.2 billion to make superannuation tax-free for over 60-year-olds. All in all, the government is spending $13.7 billion more next year than it did this year. As most households know, the secret of long-term sustainability is not spending like a kid in a lolly shop when you get a windfall—in this case a $16 billion surplus—but spending the money carefully and in a planned fashion. That surplus should have been invested in the future beyond the current economic boom, a future in which our children will not have to fix the problems that we left behind, like foreign debt, the HECS debt, climate change and water and skills shortages.

The Treasurer uses the term ‘nation building’ very loosely. I suggest he is spending our future now and leaving little for up-coming generations. This is actually a budget about the future of the coalition—for buying votes; not for the long-term future of a nation. The Democrats said early childhood development, climate change, water, oil, mental health, education and training, Indigenous inequality, infrastructure, research and development and tax reform should be the priorities of government but few if any made it into this budget.

Child care turned out not to be the priority that the Treasurer suggested, despite hints that it might be and it remains inaccessible and too expensive for a lot of families. Costs rose by 60 per cent in the last four years, but the child-care benefit has barely changed. In the last budget the government tossed parents a 30 per cent child-care rebate. Of course, this rebate will take up to two years to come through, after families have paid out the cash. So why did the Treasurer, who bragged about this being such a family and women-friendly budget, not just fold the rebate into the benefit and pay it to families when they need it?

This government’s great obsession with the private sector and competition has allowed a duopoly of for-profit centres with their economies of scale and scrooge-like control over costs, particularly wages, to take over the delivery of most child care. Community based centres where parents have a say in the management and where quality is what matters are closing and the waiting lists are growing. But Mr Costello, this is not about child-care places. Parents want skilled, well qualified staff and they want quality—something this budget does not deliver.

More than one-quarter of a million children below the age of six attend long day care but not all of them are receiving formal preschool once they turn four, and many other families cannot afford the fees that need to be charged for preschool. Since the
Keating government removed preschool funding, the Commonwealth has contributed nothing to that vitally important first year of transition into school. For around $400 million a year this budget could have provided free preschool in child-care centres and in stand-alone kinders, but it has not. The thousands of new family day care places are good, but there are as many out there that have not been taken up. Treasurer, we still need to see a complete overhaul of the early childhood system, not your ad hoc band-aids. Early childhood education and care are essential in reducing poverty, and progress here would have been a very good step in nation building.

The government has lost whatever environmental credentials it claimed over the last decade, ignoring its own powerful federal environment and heritage laws, undermining its renewable energy target, decimating the Australian Greenhouse Office, allowing the $400 million Greenhouse Gas Abatement Program to be dissipated over a decade, and letting the Natural Heritage Trust peter out after next year. The Democrats were proud to have been involved in improving, refining and indeed initiating many of these measures for the environment, and it is irksome to see them undermined, watered down or just ignored by a government arrogantly using its numbers in the Senate. The environment, I would suggest, was in far better hands when the Democrats held the balance of power.

Australia would have been well on the track of reducing its emissions through renewables had the promised greenhouse trigger been put into the environment laws. Instead we now have a minister for the environment who has become antagonistic to, rather than a champion of, renewable energy development. He tried to rob a three-turbine wind development in Western Australia of money under the remote power renewable energy program, another initiative of the Democrats. This tiny wind farm was proposed by members of the community in Denmark, but he stopped it as well as the Bald Hills proposal because of a handful of objectors.

Funding stops in this budget for CSIRO’s programs on improved water allocation and management, including irrigation, sustainable natural resource management, understanding and responding to climate change, sustainable marine fisheries, healthy coastal rivers, estuaries and coastal zones and the Australian wildlife hospitals. Funding stops after next year for the photovoltaic rebate, the Renewable Energy Commercialisation Program, protecting Australia’s biodiversity hotspots, the regional national heritage program, the Renewable Energy Equity Fund and the Alternative Fuel Conversion Program—all of them gone. This budget pays lip service to alternative and renewable transport fuel despite rocketing petrol prices. Nothing has been done to reduce our consumption of or reliance on oil and yet there were so many opportunities. The $4 billion Automotive Competitiveness and Investment Scheme and the $52.5 million in this budget to prop up Ford’s new pickup trucks could have been used to leverage fuel efficiency and provide incentives to make hybrid vehicles in this country.

The government claims that public transport is a state responsibility but the Whitlam, Fraser, Hawke and Keating governments all provided public transport funds. You cannot have a national approach to transport, as AusLink claims, and ignore public transport. Our cities are congested with passenger cars and trucks, noise and pollution. Sitting back, funding more freeways, does not work, is not sustainable, uses up more oil and most definitely is not nation building.

So where is the plan to shift freight from road to rail along the east coast? This budget
provides massive upgrades for the Hume and Bruce highways but where is the $3 billion recommended by the Neville committee back in 1998 to straighten and strengthen existing interstate main lines? The $270 million allocated in this budget is pitifully small and a fraction of what needs to be spent on rail.

The Democrats welcome the $500 million for the Murray-Darling Basin Commission but, again, it is not enough. It may improve water quality but it is unlikely to deliver water in anything like the quantity—1,500 gigalitres—that scientists say is so desperately needed to restore the system. There are two main ways to deliver more water to the Murray-Darling. The first is to purchase existing water entitlements or engage in entitlement buyback schemes, and the second is to reduce the huge losses in seepage and evaporation from irrigation channels. $500 million over five years will not go very far in doing either of those. The fact that the government is selling its $1 billion share of the Snowy Mountains Hydro Scheme and losing control of billions of litres of water flows makes a mockery of this gesture. Mr Costello, this is neither visionary nor generous. As droughts still rack much of New South Wales and south-west Queensland, it is astounding that the government has not set aside funds to help these states with effluent treatment and reuse, stormwater harvesting and, in the cities, household incentives to collect, reuse and save water.

Infrastructure investment underpins economic activity in telecommunications, transport, education, health, water and power generation. Australia needs adventurous, forward-looking infrastructure plans which are designed for sustainable communities, the environment and economies 15 years ahead. But there are no such plans in this budget.

Eight out of 10 Australian companies say that building the skills base is the key to international competitiveness. There is a pitiful $6 million for the National Skills Shortage Strategy, which says a lot about the government’s priorities or lack of them. Investing in people and their education, leaving aside all of those other benefits, increases productivity and economic wellbeing, but no budget in recent history has had less of a focus on the university and TAFE sectors. It makes no sense for a government to let our knowledge and applied skills sector fall into such a deplorable state. The ‘voluntary student unionism transition fund’—so-called—has not even been extended to student advocacy or health. The $10 million over four years for small businesses to set up shop on campuses is, frankly, laughable. Increases in the FEE HELP will mean more student debt. Australians now owe more than $11 billion in HECS, and we are burdening generations with personal debt that the majority will never be able to repay.

TAFE funding is still not indexed and the sector cannot seriously address the skills shortages, especially in our ailing manufacturing sector. Australia is the seventh lowest amongst the 25 richest OECD countries in VET funding. Three hundred thousand long-term unemployed cannot access the training and support needed to get them back into the workforce. Where is the concerted effort to improve the employment chances for mature aged workers, for the long-term unemployed and for upskilling existing workers? In fact the government actually cut the Basic Information Technology Enabling Skills for Older Workers program, the Career Planning program and the Women in Non-Traditional Occupations incentive. The Democrats again call on the government in this budget to increase funding to public schools to at least the average for the OECD nations. Schools also need extra funding for remoteness, stu-
dents with disabilities, learning difficulties and challenging behaviours, and for Indigenous students and those from low-income families. I put it to the government that its failure to properly fund our education sectors is an act of vandalism which will eat at the productive heart of the nation.

I now turn to a core value of the coalition—income tax cuts. I understand that Australians will be grateful for tax relief in the budget but they will surely be disappointed that there is no strategic income tax reform plan. The Democrats and economics commentators say that structural tax reform is essential to a simpler, fairer and more transparent system. But Mr Costello is the ‘no plan tax man’. He has only adjusted rates and thresholds within the existing system—something a well-programmed computer could do with ease. The GST and the New Tax System took several years of hard work to develop, and so it is with income tax reform.

We say—and we have been saying this for many years—that a structural tax reform plan must include raising the tax free threshold so, at the very least, people with income below the poverty line do not pay tax. Indexing the rates to account for bracket creep is necessary, as are broadening the tax base by eliminating inequitable, inefficient and outdated tax concessions, and reforming the tax welfare intersects to encourage people to move from welfare to work. If concessions were rationalised we could perhaps eliminate the need for tax returns—it is just an idea. Why do we need to do this? It is because effective marginal tax rates of up to 70 per cent apply to low-income earners right now when they move from welfare to work, and this is just unfair. No Australian should have to accept an effective marginal tax rate greater—much greater—than the new top rate of 45 per cent. The ‘no plan tax man’, in his largesse has just fiddled at the edges, rewarding those on the highest incomes the most.

The government’s bolt from the blue—to take tax off superannuation payouts—is perhaps the most blatant vote-buying measure that we have seen in this budget and it is most likely to advantage only the baby boomers due for retirement soon. Our guess is that this policy will become unsustainable and the claw-back will start sometime down the track and it will not be that far away. Removing tax is not simplification: it is a gift, benefiting those who least need it. We would like to make a suggestion on superannuation. Why not tax contributions going in progressively so that those on the 15 per cent tax rate would pay no super contribution tax at all; those on 30 per cent would pay 15 per cent; and those on 40 per cent would pay 25 per cent tax on contributions; and those on 45 per cent would pay 30 per cent tax on contributions?

We also think that lump sum payments should be very much discouraged. Retirement money is much safer in super funds than at the hands of investment shysters. These are just our thoughts and, like tax reform, they need more work to get them right—work to make sure that the tax system is sustainable, fair and equitable.

The $1.9 billion promised by the government in the wake of the Senate inquiry into mental health is indeed welcome and will go some way to alleviating the problem, but it is still about one-third of the increase that the committee was told was the minimum required to deliver mental health services to those who need them. We urge the government to take all the recommendations of this inquiry to the COAG meeting in June and to negotiate in good faith with the states to see that they are properly funded. There are no quick fixes in mental health, but we must work at alleviating the pain and the alien-
ation of almost one million Australians affected by mental illness. The government must, together with the states, commit to funding well-staffed community-based mental health centres and prevention and early intervention, to name just a few measures.

There is nothing in the health budget to drive down the rate of smoking—the addiction that still kills 19,000 people a year and is absolutely preventable. Minister Abbott’s school canteen guidelines will not solve the looming wave of obesity-related disease. There is again nothing to bring down the dental waiting lists or to stop the onslaught of sexually transmitted infection. The Treasurer’s generosity has not been extended to the PBS, where there is enormous pressure right now to reduce costs, at the risk of making some medicines unavailable in this country.

It is clear that the Howard government is cynically failing Indigenous Australians. Here is an example: DEST’s Abstudy for the next four years has tied attendance to payments. They have revised their figures downwards by $1.8 million in the expectation that Indigenous people will not attend schools. Leaving aside the unlikelihood that the government can predict the future actions of people, this is a cynical and cold-hearted cost-cutting exercise. Fewer than one-fifth of Indigenous people over 15 go on to year 12. Not surprisingly, they have much lower rates of tertiary education, and unemployment for them is almost three times higher than for non-Indigenous people. They earn much less and are more likely to live in substandard conditions. The gross overcrowding in Indigenous communities would never be tolerated elsewhere.

Indigenous community housing organisations across Australia need at least a further $141 million a year for five years to fix the Indigenous housing shortfall. Indigenous people are more likely to have inadequate water and washing facilities and poor sanitation and sewerage. The AMA says that Indigenous health is underfunded by at least $452.5 million every year, and an additional $50 million is needed for the Indigenous workforce to be trained. But none of this is in the budget, and I doubt Indigenous Australians will welcome another 10 years of Mr Costello’s economic reforms. Mutual obligation has not worked for them so far, any more than practical reconciliation did.

Those on benefits will, like the rest of us, soon have to pay for the highly elaborate infrastructure being set up around an ID card, which will track their welfare payments, wiping out, we are told, welfare fraud to the tune of $3 billion. We think this is doubtful, judging by the harshness with which Centrelink already treats its clients.

The Treasurer argues that helping families is one of the government’s highest priorities and that this budget delivers through tax cuts and the family tax benefit. I am sure that families will welcome the additional income, but they will do so knowing they will also have less job security, greater casualisation and less job flexibility, thanks to the government’s Work Choices.

The Treasurer wants women to have more children, but they know, as I do, that it costs more than $5 extra a week to raise a child. They also know that they will need at least one good, stable income in a family before they take that step. Work Choices attacks secure family incomes. It delivers job insecurity and uncertain wages and conditions. Work Choices will likely drive down the minimum wage and reduce rights and benefits, especially for the vulnerable, the disadvantaged and women who are in and out of the workforce because of their caring responsibilities.
In this law, the government has failed families and failed Australia. We have not heard much about intergenerational equity in this budget because, frankly, there is none. The current generation of students and children—our next generation of workers and parents and custodians of the economy and the environment—are not considered much in this budget and the government is leaving them the most difficult problems to solve.

Mr Howard and Mr Costello’s political strategists have sacrificed the great tenets of liberalism—freedom, investment in people and investment in the future—for a good headline. The Democrats are committed to what we know to be the priorities for a sustainable future for all Australians, well beyond a Costello next decade and most definitely beyond the next election.

Senator MILNE (Tasmania) (8.27 pm)—The budget reflects the soul of a nation. It is the economic tool that gives effect to the vision and values that a government has for its people. On Tuesday night, Australians heard that the vision and values of the Howard government over 10 years in office had delivered rivers of gold and manna from heaven. They heard that the vision and values had turned Australia into a debt-free country, awash with cash—some $178 billion in extra revenue since 2002—and that the same vision and values, business as usual, would see the good times roll on into the future. It was a live-for-today package, a reaffirmation of the Howard government philosophy that the richer you are, the more you are valued and rewarded.

The budget message was that the Howard government had perfected the Midas touch, and people were prompted to rejoice and be glad to spend, spend, spend—for the vision and values of Prime Minister Howard and his Treasurer, the Hon. Peter Costello, would guarantee that the only direction for the Australian economy was up, and, on that assumption, the tax revenue base could be permanently narrowed. In the next four years, $45 billion will be forgone in tax cuts, as if there were no national imperatives to fund nor any global responsibilities, as if an ecological deficit did not exist, as if the nation’s health and education systems were already world class and as if the $2.6 billion required to address Indigenous health and housing were not a priority.

The nation got the message, and the partying and the backslapping began. The media was euphoric and most commentators gushed. Few political and economic analysts could find any fault with the formula or the outcome, so much so that the Treasurer felt sorry for the opposition for, seemingly, it had nowhere to go. And from the response of the opposition, I have to say, it appears to have felt sorry for itself, by repeating the refrain ‘we was robbed’. What were they robbed of? The opportunity to say and deliver the same things themselves, because the Beazley opposition supports the tax cuts.

The Howard government’s vision and values expressed through its budget have made me realise that we have actually become two nations in Australia: one that is fixated on the present and cannot see what the problem is and the other that can see the problem and the huge risks for our children, grandchildren and future generations. The Howard government’s budget is a budget for those who cannot see what the problem is. It is predicated on the assumption that it is the Howard government’s own policies and ‘business as usual’ economics that have delivered and will continue to deliver prosperities to Australians into the future. Its fundamental flaw is that in its supreme confidence that the surplus is of its own making, the Howard government has lost sight of the fact that the global economy and ongoing economic growth depend on the natural environment...
and its resources. The Howard government does not seem to understand that without the environment there is no economy.

What is different in 2006 is that the capacity of the earth and its ecosystems to sustain economic growth is in doubt if ‘business as usual’ use and exploitation of resources such as fossil fuels continues. Whereas previously individual civilisations or regions have collapsed because of unsustainable use of water, soils, forests or fisheries, the difference now is that the whole globe is at risk. As leading environmental thinker Lester Brown has said:

In our preoccupation with quarterly earnings reports and year-to-year economic growth, we have lost sight of how large the human enterprise has become relative to the earth’s resources—

Take China, for example—

China has overtaken the United States in the consumption of most basic resources. Among the leading commodities in the food sector (grain and meat), in the energy sector (oil and coal), and in the industrial sector (steel), China now leads the United States in the consumption of all except oil. What if China reaches the U.S. resource consumption level per person? If China’s economy continues to expand at 8 percent per year, its income per person will reach the current U.S. level in 2031.

If we further assume that Chinese resource consumption per person in 2031 will be the same as that in the United States today, then the country’s projected population of 1.45 billion will consume an amount of grain equal to two thirds of the current world grain harvest ... and it would use 99 million barrels of oil per day—well above current world production of 84 million barrels.

The western economic model ... is not going to work for China.

... in an increasingly integrated world economy, where all countries are competing for the same oil, grain and steel and mineral resources, the existing economic model will not work for industrial countries either.

Lester Brown concludes:

The days of the fossil-fuel-based, automobile-centered, throwaway economy are numbered.

This has greater ramifications for Australia than it has for most other countries in the OECD because it is not the Howard government’s vision that has delivered metaphoric rivers of gold but, rather, real truckloads and shipholds of minerals powered by fossil fuels. Total mineral exports from Australia doubled in value between 2000 and 2006.

Australia is awash with cash because of a minerals boom which has delivered corporate profits to the Treasury. Between 2002 and 2007 company tax collections will have doubled to $57 billion. But instead of recognising that these profits are completely unsustainable and using the cash to invest in nation-building through the development of a highly educated nation and a more sophisticated low-carbon economy significantly less dependent on extraction of natural resources and fossil fuels, the Howard government has pursued policies that have narrowed and weakened the economy to the point where we have virtually no manufacturing industry and only a weak tertiary sector left. In 1990 manufacturing contributed 13.4 per cent of GDP and it now contributes 10.9 per cent. We have regressed under the Howard government to riding on the sheep’s back. As Doug Cameron, from the Australian Manufacturing Workers Union, has said: ‘A farm, a quarry, and a nice place to visit.’

When the Howard government came to power, the current account deficit was three per cent of gross domestic product and now it is six per cent. Then, the Treasurer could not stop talking about it. Now, it is as unmentionable as climate change. Australia’s economy is on shaky ground and is vulnerable to a global loss of confidence in financing these deficits. If that happens there will be upward pressure on interest rates. This is hardly a situation in which Treasurer Costello should be boasting about being a
good economic manager and throwing money around. The economy is structurally weak. The Howard government has exposed Australia to perilous economic risks.

What happens when the boom ends or when the rest of the world decides not to use our coal because of global warming or our uranium because nuclear power is shown to be too expensive, too dangerous and too slow? What happens when we need to import 70 per cent of our oil and we have already exported the bulk of our liquid natural gas? Will we feel so confident then of the decision to decrease the tax revenue base when oil imports alone add an extra $30 billion to the already shameful trade deficit and therefore to our current account deficit as well?

What happens when salinity continues to render farmland infertile and rivers too saline to use? What happens when climate change causes dislocation to traditional agriculture, and the benefits of the $500 million injection into the Murray-Darling river system are negated by reduced rainfall and higher evaporation rates? Who will pay for the damage from the increased frequency and intensity of the floods, fires and storms that climate change is bringing? Whilst the Howard government budget provides for $394 million in national security spending, it fails to recognise the greatest risk to Australia, to Australian people, to Australian families—and that is climate change.

In the budget papers one risk that is identified is the possible need for greater expenditure on drought relief, although the analysis concludes that this is unlikely to occur and that agricultural production forecasts are similar to previous years. Does no-one in the government listen to the CSIRO climate scientists—or have they now all been replaced by coal and petroleum industry spokespeople? In this budget 170 CSIRO jobs have been cut; so much for the clever or innovative country. Does the Prime Minister expect, when he dons the Akubra hat and visits drought affected and storm damaged areas, to be taken seriously when he expresses surprise that these events have occurred?

The Australian Greens believe that it is both prudent and equitable to develop a climate change disaster fund to provide certainty to individuals and communities. As the threat of climate change increases, so too should the amount allocated to this fund increase. The federal government does not publish an annual assessment of the costs of natural disasters, but government figures averaged over decades and adjusted for inflation put the average cost of natural disasters at around $13.7 billion per decade to date. The climate change disaster relief fund should be funded by taxes on activities that will increase the likelihood of climate change related disasters, as such an approach ensures that the incidence of the tax will have a double dividend of decreasing reliance on harmful activities. While a carbon tax would be the most effective mechanism for achieving such an objective, the reintroduction of fuel excise indexation or the introduction of the planned increase in the heavy vehicle road user charge would easily fund such a scheme.

It is hard to estimate just how far Australia has fallen behind the rest of the world. I doubt there is any other country in the OECD which does not identify climate change and oil depletion as high risks to their economy. I cannot imagine one of those OECD countries which has a budget and puts out budget papers which identify the risks to its economy not mentioning climate change. In fact, the Australian risk assessment is that there is a greater risk of space objects falling out of the sky; it does not mention climate change.
The Kyoto protocol must be ratified and Australia must join the world at the table for the post-2012 dialogue, with serious intent to invest in mitigation and adaptation by the adoption of a new post-Kyoto multilateral treaty. Voluntary approaches such as the Asia-Pacific Partnership do not work, and the failure of voluntary action is exactly why the Kyoto protocol was negotiated in the first place. It would therefore appear prudent for the Commonwealth government to invest around $1.5 billion per year in order to provide appropriate resources to mitigate the financial, if not the personal, costs of natural disasters.

Australia has no strategy to deal with oil depletion or to oil-proof the nation. The expectation is that, given enough tax breaks, the explorers will simply go out and find more oil. The assumption is that there is plentiful, cheap, easily accessible oil to be found, that the market will set the price and that, when it gets too high, alternatives will be found. But even the federal government’s experts, Geoscience Australia, say that by 2012 there is a 90 per cent chance Australia will be producing less than half of its oil requirement. In contrast, the Swedish government in its budget announced a strategy to make Sweden oil free by 2020. All over the world nations have introduced regulation for energy efficiency. The Greens want an energy efficiency target. Instead of providing accelerated depreciation across the board, the Greens believe that accelerated depreciation should be restricted to those companies which implement energy efficiency measures identified in the energy efficiency audit mandated by the government.

In Europe, governments have invested heavily in public transport, renewable energy and alternative fuels. They have moved freight off the roads and onto rail. They have recognised that oil-proofing a nation improves the resilience of its economy and its quality of life by reducing private vehicle use, improving air quality and reducing traffic congestion and greenhouse gases. As a first step, they have provided incentives for making car fleets fuel efficient. In this country Western Australia has taken the lead in a similar initiative to improve the fuel efficiency of its car fleet, and the Commonwealth would do well to do exactly the same with its own government fleet.

While Australia panders to the whim of the automobile industry by setting toothless voluntary fuel efficiency targets, California and nine other US states are fighting the Bush administration for the right to impose tighter mandatory vehicle emission limits. Even China has adopted a mandatory fuel efficiency target of 6.8 litres per 100 kilometres. It is a similar target to Australia’s, except that the Chinese are serious about actually achieving it. It is hard to believe that Treasurer Costello has granted a subsidy—that is, corporate welfare—to Ford of $52 million, without tying it to fuel efficient design. I cannot imagine any other OECD country that would give a handout to a motor vehicle company for design specifications and not tie it to fuel efficiency. The Howard government clearly does not recognise energy security as a risk to this country’s economic wellbeing.

Other nations have recognised that urbanisation requires national oversight. Whereas public transport is a state issue in Australia, oil depletion and choked and congested cities are a national concern because they impact on the productivity of cities and on the quality of life of those who live there. A government with vision for the future would have instigated a COAG process and a financial strategy for the oil proofing of Australian cities and would have invested heavily in public transport. In the 1970s, 12 per cent of Australia’s passenger kilometres were carried by public transport and today it is less...
than eight per cent. We need to exempt public transport and low-emission vehicles from the GST. But, no, nation building for the Howard government consists of road building, with the oil price approaching $100 a barrel. It is a brilliant strategy!

AusLink is set to receive $13 billion over five years, but new road funding in this week’s budget has been allocated at nearly 10 times the amount for rail. Until we invest more in rail than we do in road, we cannot hope to shift the freight task from our crumbling roads and on to fast tracks linking our major cities. The decision not to proceed with the planned increase in the heavy vehicle road user charge is a slap in the face for transport reform.

If Australians had been asked whether they would prefer to permanently reduce their energy and petrol costs by being assisted to upgrade to a more fuel efficient vehicle, to put a solar hot water system on their roof or to access faster and better public transport or, alternatively, to have tax cuts to enable them to pay higher petrol and energy costs, the government would have found that the community would prefer government intervention to accelerate the transition to a low-carbon economy to head off higher costs rather than just being assisted to meet them if future budgets allow for it. At the moment, Australia has the third cheapest petrol in the OECD and our electricity is 40 per cent cheaper than the OECD average cost, yet energy affordability is up there with housing affordability as a major issue in our community. How much worse will it become?

Whilst reducing fuel excise on alternative fuels is essential, cutting fuel excise on conventional fuels is not the answer, because in a world experiencing peak oil it is economically unsustainable and it lulls people into thinking that they do not need to make changes to their vehicle standards or use. Being strategic and proactive provides national energy security, whereas reacting to short-term market forces leaves the nation insecure and exposed to the vagaries of the global market.

The same applies to other fossil fuels. It is reckless and irresponsible not to plan for adaptation to climate change, because we know that the costs of acting now are far less than the costs will be if we do not. In that regard, how can we argue that we have a surplus when we have failed to assess the financial risks and costs of climate change? This is not just about the Great Barrier Reef. This is about the liveability of country towns. It is about health; it is estimated that 10,000 people will die from heat exhaustion because of increased temperatures. It is about dislocation in agriculture. It is about just about every aspect of our lives.

Whilst the Howard government is relying on coal and pinning our future on unproven carbon capture and storage technology, other nations are moving rapidly to invest in renewable energy technology and products. One day Australia will price carbon. The cost of disposing of carbon dioxide into the atmosphere has been subsidised by the community for too long. This subsidy must end. Whilst the switch towards taxing atmospheric pollution is a complex area of policy, what is simple is the need to send a signal to the market. The longer we delay sending the signal the longer plans for coal-fired power stations will continue to be advanced.

The Greens propose that the government introduce an emissions trading scheme and/or a carbon tax as a matter of urgency to send a clear signal to the market, to shift the financial risk from the government to the market, to minimise transition costs and to fund emerging renewable energy industries. This is good business. Australia is blessed with fantastic solar and wind energy. We
could lead the world in photovoltaics, but to do so we need to invest in the commercialisation of existing technologies and R&D for improved technologies. We need to provide incentives for the roll-out of those technologies, including reform of electricity tariffs through guaranteed prices for renewable energy and, in the short term, an extension of the photovoltaic rebate scheme.

Germany has created 150,000 jobs by introducing legislation to drive the solar industry. Over 19 US states have introduced renewable energy targets to attract those industries, whilst in Australia the government has effectively strangled the renewable energy industry by refusing to extend the mandatory renewable energy targets. We have an Australian solar energy billionaire who made his money by investing in China. There is no capacity for him to do the same in Australia, and those jobs are being created in China. Just today, Roaring Forties announced that it will not proceed with its Heemskirk wind farm, blaming the government’s failure to expand MRET. Not dealing with climate change is costing Australia jobs and innovation.

As to uranium, a leadership role for Australia in global nonproliferation, global security and antiterrorism would be to see us decide to leave it in the ground. Apart from the danger of weapons and waste, the nuclear fuel cycle is dangerous, expensive and replete with uncosted externalities that the taxpayer will have to pay for. The budget papers themselves reveal that taxpayers already have to pay $7 million to clean up the Kakadu World Heritage area of abandoned uranium mines. Who will pay for the clean up if the current uranium mining speculation ever leads to new mines opening? As well, the budget statement of risks makes it clear that there is no way to cost the decommissioning of the Lucas Heights reactor. What does that say about the government’s assertion that nuclear power may become financially viable in Australia?

Rather than seeing Australia’s coal and uranium reserves as a competitive advantage, Australia needs to see them as a competitive disadvantage, because focusing on coal and uranium is blinding the government and the nation to risk and to the cause and consequences of climate change, and it is preventing investment in the innovative industries that will power this country. Dependence on natural resources will leave the nation vulnerable to resource depletion, new foreign sources and technological changes that reduce and eliminate resource needs. That is according to Michael Porter, a quite well-known economist.

Australia is being held back, jobs growth is being restricted and the nation’s ability to build a sophisticated economy, manufacturing base and tertiary sector is being constrained by the Howard government’s short-termism, intellectual laziness and indebtedness to the resource sector for its political support. To effectively capitalise on the opportunities inherent in the transition to a low-carbon economy which is knowledge, skills and service based, a massive injection of funds into education, research and training is needed.

Our children are our future, and if you had an eye to the future you would not reduce education spending as a proportion of government outlays, as has occurred in this budget. Would most Australians choose a tax cut if they realised that their children would have to borrow as much for their university fees as they had to borrow for their first home? The tax cuts could make tertiary education free again. In the Howard government’s values system, this is a lesser priority than increasing the ability to consume for people who are earning over $100,000.
In addition to putting further education beyond the reach of most Australians, the government has provided no extra funding for university research. We need that public interest research. We cannot rely on industry partnerships to deliver the science we need to address climate change and the public interest dimensions of the ethical dilemmas posed by the biotech and nanotech revolutions. The wealth of the country should be seen in its people and in its ability to capture creativity and innovation in adapting to changing global circumstances. In this context, we have to fund the arts.

Adaptation to changing global circumstances needs to be reflected in building a coherent society in which there is not a massive gap between the rich and the poor, in which women are given equal opportunity to participate and in which no child is kept behind razor wire. Conflict and antisocial behaviour occur when some in the community are left without hope, worthwhile work or provision for their old age while others benefit from tax cuts and superannuation advantages. What an opportunity we have missed to adequately fund primary health care from early childhood right through to old age! What an opportunity we have missed to reduce the gap between the rich and the poor, and to provide support for people with disabilities and for carers!

The government may claim that the budget is in surplus, but what does that say about its values if the nation is deep in deficit, if its children are not properly cared for and if its Indigenous communities are forced to live in Third World conditions? If we cannot address Aboriginal disadvantage in an economic boom time, when can we address it?

Unlike the Howard government, the Greens’ vision for Australia and the values we hold mean we would not squander the surplus on a spending spree. We do not support the tax cuts or superannuation windfall for high-income earners. We would spend the $45 billion instead on fostering equity and high standards of education and public health and on accelerating the transition from a narrow resource based economy to a low-carbon economy with a strong innovative new industry and employment base. We would oil-proof the country and invest in energy security and adaptation to climate change. We would offer the leadership that Australia needs in the 21st century. Just as Tony Blair identified climate change and making poverty history as the themes of Britain’s leadership of the European Union and the G8 so, too, Australia should adopt climate change, renewable energy and energy efficiency as key themes for APEC in 2007. This would truly provide genuine leadership for the region.

Senator FIELDING (Victoria—Leader of the Family First Party) (8.56 pm)—Ordinary Australian families will be grateful for whatever help they can get from this budget. At a time when they are battling with high petrol prices and an increase in interest rates, everything helps. But the fact is that ordinary Australian families have not got as much help out of this budget as they could have. For example, politicians have fared much better from the tax cuts than the average Australian. I will get a tax cut of about $66 a week. But somebody earning $50,000 or $60,000 will get a tax cut of just $10 a week. The government has also expanded access to the large family supplement. Parents with three children—and that includes my wife, Sue, and I—will now receive an extra $5 a week. But that does not do much to fill the car or pay the mortgage. And the Treasurer has to be kidding if he thinks $5 extra a week will encourage families to have more children.
The government claims this is a budget for families, but the big winners are the high-income earners. Can you believe that a single person earning $100,000 a year with no children gets twice as much as a two-income family on $100,000 with two children? I quote from an article in the Financial Review yesterday entitled ‘At last, it’s a win for the high income earners’. It said:

The changes mean the 2 per cent of taxpayers earning more than $150,000 next financial year and paying the top tax rate will save $6200 a year, or more than 12 times the $510 saving pocketed by average workers.

Another article in the Financial Review reveals:

Even a single person on $70,000 a year will receive $190 a year more in tax cuts than a dual-income family with two children on the same income which starts to lose family tax benefits once income reaches a certain level.

So much for putting families first.

Family First thinks there is a better way. For example, consider a two-income, two-child family. One wage earner is on $60,000 and the other is on $20,000. They have two cars—a Commodore and a Corolla—and they fill up the tanks with petrol once a week. If the government had adopted Family First’s plan to cut the petrol tax by 10c a litre, this family would have saved about $13 a week in its petrol bill alone. This petrol tax cut would have cost the government $3.8 billion. Instead, under the government’s plan, that family will get $16 a week in tax cuts. Yes, that is just $3 more out of the government’s package, but that will cost about $9 billion a year for the next four years. However, under Family First’s proposal, the family could have had the $13 extra a week, plus there would have been more than $5 billion left over for income tax cuts. Clearly, the average Australian family would have been better off under Family First’s plan.

Also, a cut in petrol taxes delivers three times the savings as a proportion of income to the poorest 20 per cent of households compared to the wealthiest 20 per cent. Taxing petrol is both regressive and inefficient. Whacking a tax on petrol penalises people in regional and rural areas in particular because it increases the cost of transport, encouraging people into metropolitan areas and increasing congestion. Some say petrol price rises are good for the environment. It is right to say that petrol prices should rise in response to demand to stimulate new investment in production of fuel alternatives, but petrol tax is not part of the price received by producers. Cutting tax does not affect the price petrol companies get. The petrol tax hits thousands of other prices and operates as an insidious tax on the basic living costs of ordinary families. And, perhaps more importantly, soaring petrol prices risk further interest rate rises.

The Prime Minister has admitted petrol prices are inflationary. But the Treasurer in his statement on tax reform still harks back to 2001—five years ago—which was the last time the government did anything to reduce petrol excise. Family First are disappointed the government still stubbornly refuses to cut petrol taxes, but we know the reason why. The budget confirms the government is drunk on petrol tax. Next financial year the government expects to reap $14 billion in tax from motorists, yet it continues to arrogantly ignore the petrol pain on families and small businesses. Perhaps politicians would be more understanding if they had to fork out for petrol themselves.

Turning to the big issue of child care, Family First is pleased that more families will receive family tax benefit A. But Family First wants the child-care rebate, which only goes to parents of children attending formal child care, to be replaced by an increased family tax benefit payment that goes to all
parents with children under five. In other words, the government’s current policy is to only give the child-care rebate to those parents who can afford the high child-care fees and who want to put their children in professional child-care centres or other approved care. Instead, Family First’s proposal would mean that all parents are treated equally, regardless of whether they choose formal child care or have their children looked after by a relative, friend or neighbour. This is also an equity issue. For example, families on $60,000 a year receive $10,000 per child if they use formal child care but less than $2,000 if they use informal care or if they care for their children themselves. Clearly the government has a market-friendly policy, not a family-friendly policy. Parents are in the best position to decide who is best able to care for their children, and Family First’s policy would give them that choice. Families do benefit from this budget and will welcome it. But, for the average Australian family, this budget will not be the bonanza the government would like us all to believe it is.

Debate (on motion by Senator Abetz) adjourned.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Ferguson)—The President has received letters from party leaders seeking variations to the membership of committees.

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (9.05 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

Community Affairs Legislation Committee—

Appointed—Substitute members:

Senator Stott Despoja to replace Senator Nettle for the committee’s inquiry into the Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005

Senator Nash to replace Senator Adams for the consideration of the 2006-07 Budget estimates on 29 May 2006

Employment, Workplace Relations and Education Legislation Committee—

Appointed—Participating member: Senator Ferris

Rural and Regional Affairs and Transport Legislation Committee—


Question agreed to.

PETROLEUM RETAIL LEGISLATION REPEAL BILL 2005

Report of Economics Legislation Committee

Senator SCULLION (Northern Territory) (9.05 pm)—On behalf of the Chair of the Economics Legislation Committee, Senator Brandis, I present the report of the committee on the provisions of the Petroleum Retail Legislation Repeal Bill 2005 together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

BUDGET

Consideration by Legislation Committees

Additional Information

Senator SCULLION (Northern Territory) (9.05 pm)—On behalf of the chair of the Employment, Workplace Relations and Education Legislation Committee, Senator Troeth, I present additional information received by the committee relating to hearings on the 2005-06 additional estimates.
ADJOURNMENT

Senator ABETZ (Tasmania—Minister for Fisheries, Forestry and Conservation) (9.06 pm)—I move:

That the Senate do now adjourn.

Federation Fellowships

Senator WATSON (Tasmania) (9.06 pm)—Today in the Mural Hall the Minister for Education, Science and Training, the Hon. Julie Bishop MP, awarded the Australian Research Council’s Federation Fellowships to 25 world-class researchers. The Australian government will fund this program by $41.5 million over five years as part of its commitment to innovation, Backing Australia’s Ability. The research covers such matters as developing new drugs to combat mental illness; explosives detection; understanding Australian climate variability; developing polymers to improve quality of life for people with heart implants, neuromuscular disorders and spinal cord injuries; and identification of success and failure of peace building in the Pacific and Asia. This is not by any means a complete list, but it shows the sorts of research being undertaken in Australia.

The research of the 25 federation fellows consists of 24 per cent in the area of biological sciences and biochemistry and 24 per cent in the division of physics, chemistry and geoscience. The fellowships reflect the Australian government’s commitment to supporting excellence in research, attracting and retaining world-class Australian researchers in key positions and creating new rewards and incentives for the application of their talents in Australia.

I am told that unfortunately only eight per cent of applicants were women, a matter that I believe needs to be addressed. Maybe many professional women at that age are involved in child rearing, as 84 per cent of successful applicants were 40 years or older and many professional women delay having children until their late 30s.

Minister Julie Bishop in her address remarked that all of the fellows since 2003 were role models, as indeed they are. The challenge to me is to ensure that this role model status is conveyed to younger people. Perhaps one approach could be to make it mandatory for the lectures to be presented to undergraduates in the universities of these various fellows. An alternative could be for a booklet to be distributed to secondary school students to quicken their interest in research. This would require funding, perhaps through the Australian Research Council, which provides the federation fellowships, or the Department of Education, Science and Training.

The tax reforms announced this week will provide some encouragement for Australians with high skill levels and high incomes to stay in Australia and encourage others to return. Globalisation is very evident in the program, with much of the support staff for these researchers coming from distinguished universities around the world. Australia appears to be becoming increasingly attractive because of our university skills base. Perhaps cheaper airfares and phone charges are also factors in attracting the best of the world to our highly regarded Australian universities.

As a Tasmanian I welcomed the success of Professor Paul Haddad from the University of Tasmania in his research field of analytical chemistry. His project is: ‘Separation science based on nanoparticle-coated monolithic scaffold stationary phases’. His work will aim to generate new intellectual property with extremely high international commercial potential. I congratulate Professor Haddad and I thank the Senate.

Mr Harry David Krantz OAM

Senator McEWEN (South Australia) (9.10 pm)—I rise tonight to bring to the attention of the Senate the life and legacy of an
important South Australian: a man who dedicated his life and talents to the welfare of working people and their families. Harry David Krantz was born on 24 November 1919 and died after a brief illness on 30 March 2006. He was 86 years old.

He was a trade union leader: a warrior for the workers. He was also a family man, a proud father and grandfather, a veteran of World War II, a man of strong religious faith, a lifelong Labor Party man and a passionate advocate and fighter for people who are disadvantaged or discriminated against. He grew up in the Depression, with three unemployed elder brothers, and learned where his political allegiances lay by listening to labour movement identities speaking ‘on the stump’ in Adelaide Botanic Park.

Harry became Secretary of the FCU—the Federated Clerks Union—when he was just 21 years old and the union was struggling to recover from the effects of the Depression. His ascendancy at such a young age came about when the incumbent union secretary was unfortunately killed in a bicycle accident and, in Harry’s words, ‘Nobody else really wanted the job’. At that time the union had around 20 members. It was a time when white-collar workers in clerical and administrative areas were typically very badly paid, were often treated appallingly by employers and were industrially timid. They were often paid less than the basic wage and had no industrial award cover.

Harry took on the job of union secretary with his usual enthusiasm and a clear vision of what needed to be done for the union and its members. Harry knew that his white-collar union membership would never be comfortable with militant action in support of industrial claims. Instead he would have to rely on advocacy and excellent research skills to win favourable judgments in the Industrial Court and, later, in the Industrial Commission. He became renowned as one of the best industrial advocates ever to appear before the bench. When I first started working for the Federated Clerks Union, the industrial commissioners often advised me that I would do well for myself to read the transcripts of Harry arguing the significant cases he took to arbitration. He was indeed an eloquent and persuasive speaker with an extraordinary memory for detail and informative facts.

Shortly after Harry became the secretary, the union secured the South Australian clerks award. This award established for the first time a minimum rate of pay for clerical workers in South Australia. The immediate result of the new award was a pay increase for many impoverished workers who had been without a pay increase for 30 years. For example, a clerk at the South Australian Gas Company saw his wages increase from three pounds, twelve shillings and nine pence to five pounds, three shillings and sixpence. That momentous achievement occurred some 44 years ago, on 3 May 1942, and it occurred despite the vehement opposition of employers. Since that date, the clerks award has been used as the vehicle to introduce other minimum standards of employment conditions for the clerical sector and for extrapolation to other industries.

The clerks award was incrementally improved through successive cases and eventually came to encapsulate all of the working conditions that unions like Harry’s FCU have fought for and won: annual leave, sick leave, parental leave, casual loadings, redundancy pay, a classification structure, superannuation and others. This award set the basic minimum conditions for clerical and administrative workers in South Australia, whether or not they were members of a trade union. It is an award that unfortunately the Howard government now wants to decimate so that those white-collar workers, who are pre-
dominantly women working in small to medium sized businesses, will once again be at the mercy of unscrupulous employers.

In 1942, Harry Krantz joined the AIF and served with the Royal Australian Engineers until 1946. During his absence overseas serving his nation, leadership of the FCU was in the hands of Elizabeth Teesdale-Smith, later Elizabeth Johnston. She was the first woman secretary of a South Australian trade union and the first woman on the executive of the South Australian United Trades and Labor Council. Harry’s support for Elizabeth was indicative of the respect that he had for women in the trade union movement and of his determination to ensure that women were not left behind in the pursuit of improved working conditions. Harry was instrumental in setting up the South Australian equal pay council, and the legacy of his interest in the welfare of women workers continued to be a priority for the Federated Clerks Union and its later incarnation, the Australian Services Union.

Apart from battling employers and conservative governments, Harry Krantz famously battled the conservative forces in his own union. The groupers had gained control of the FCU in every state and federally during the 1940s and 1950s but had failed to seize the South Australian branch from the progressive Harry Krantz. Harry had no time at all for the groupers, and when BA Santamaria died in 1998 Harry made a triumphant visit to his union office to let us know that he had outlived his old foe. When Harry retired from the FCU in 1984, the union had grown to more than 6,000 members. It was an extraordinary four decades of service to South Australian workers.

From a tough economic base Harry built a strong, viable and democratic union that was always fiscally responsible. He made sure that union staff knew it was the members’ money that paid their wages and that staff should see their employment with the union as a great privilege and an opportunity to serve the membership. Most of all, he managed his union with the utmost respect for the members of the union, whom he never took for granted, never tried to second-guess and never tried to deceive.

During World War II, Harry was given leave from the Army to contest the federal seat of Barker for the Australian Labor Party. He was unsuccessful but achieved a swing of 15 per cent for Labor and nearly defeated the Country Party candidate, Archie Cameron. He contested Barker again in 1946 but thereafter devoted himself to the union while always being a Labor true believer.

Harry was a man of forthright opinions who was unafraid to share his views on any topic. I well remember being at an ALP conference dinner where the guest speaker, who was then a leader of our noble party, had been speaking for some considerable time, and it would be fair to say that the tone and content of his delivery had lost most of the audience, who were out for a good time and not a sermon. Harry, who would have been about 83 years old at that stage and blessed with the license to be frank that age and seniority in the party bring, moaned loudly and to the great amusement of everyone at the conference dinner, except the guest speaker, that, ‘This is the most boring speech I have ever heard in all my life.’

Apart from his union work, Harry contributed to South Australian business and community affairs through his membership of many boards and organisations. He was, amongst other things, chairman of the Remuneration Tribunal, chairman of the South Australian Trotting Control Board, a member of the board of the State Government Insurance Commission, president of the Industrial Relations Society of Australia and a board
member of the Workers Educational Association. He was awarded the Order of Australia Medal in 1981, and he was a justice of the peace.

In the last years of his life Harry was concerned that the federal government’s attacks on unions and working people were undoing the work of union members who had fought for more than 100 years, striving for a fair go at work. He knew it would be the industrially weak and unorganised non-union workplaces that would be hardest hit, and he was scathing about the government’s extreme industrial agenda. But Harry was always optimistic. He believed that working Australians and their families would not take what Howard was going to dish up to them lying down.

Senator Abetz—Mr Howard to you.

Senator McEwen—Mr Howard. Harry knew Australians would fight to preserve what he and the other old warriors of the trade union movement had fought so hard to secure.

It was a testament to Harry’s contribution to the history of South Australia that his funeral service, which was held in the same church that he had been married in nearly 50 years before, was attended by a diverse range of people, including other veterans of World War II, lawyers, politicians and past and current members of the South Australian and Australian industrial commissions, including those who came from the employer side of the industrial system. There were businesspeople and members of his parish there as well. Harry was described by the many who spoke about him at his funeral as a mentor, a visionary and a tough but pragmatic negotiator who earned the respect of the union members and business and government identities with whom he worked. His funeral card noted that his was a life lived with courage, compassion and integrity. It is fitting that the Senate note the life and legacy of Harry Krantz.

Budget 2006-07

Senator Joyce (Queensland) (9.20 pm)—It was with some interest tonight that we heard the Leader of the Opposition’s reply to the budget. There are a couple of issues that need to be brought up, given that people spoke today on child-care facilities. We heard tonight about Mr Beazley’s child-care plan. He is going to put 260 child-care facilities in 150 electorates. I am trying to work that out. That is about one and two-thirds of a child-care centre per electorate. For the electorate I live in, Maranoa, I am trying to work out where he is going to put them—maybe one in Dalby and two-thirds of one in Longreach.

After giving some good advertising to The Nationals—and I acknowledge that The Nationals are the reason why a lot of money gets spent on infrastructure in this nation, and I proudly stand behind that and thank Mr Beazley for his endorsement of National Party efforts in that area—he made a very interesting statement about his telecommunications plan. It is apparent that Mr Beazley intends to spend the $757 million of the Broadband Connect program that The Nationals carved out as well as draw down the total trust fund of $2 billion which was put aside to protect future telecommunications. However, he never mentioned—and I find this perplexing—that he was not going to sell Telstra. He never mentioned that.

Senator Abetz—He was going to roll out broadband with Telstra—

Senator Joyce—But he never mentioned that a big consideration of his budget in the future was that there would be no revenue from the sale of Telstra. In fact, he explicitly avoided the whole mention of Telstra.
It is amazing how quickly things change around here. It was only a matter of months ago that we heard the tirades at the door when we stood here and said that Mr Beazley had intended to sell Telstra right from the start. It did not take very long before he became fair dinkum, as he likes to say, and was truthful with the Australian people and announced implicitly to them in his speech tonight that he is going to sell Telstra. That is something we should get on the record straightaway and, because he is talking about his contract with middle Australia, he has to be completely upfront with them.

All the way through his speech tonight he gave us a whole heap of ‘imagine’ statements. He had more imagining than John Lennon; there were ‘imagine’ statements through the whole lot of it. But not once did we get a costing; not once did he say that he was going to balance the books. That leads us back to the old conundrum of where a Labor government will take us: a Labor government will take us into fiscal irresponsibility, higher interest rates and burgeoning government debt. Very importantly, Mr Beazley also never mentioned his position on superannuation. We do not know whether or not he agrees with the government’s position on superannuation. He ridiculed the tax cuts as $10 worth of poker machine fun or in like terms, but he never said what he intends to do.

In the National Party, we have a strong interest in biorenewable fuels. Mr Beazley also made a statement on that. He is a strong advocate for biorenewable fuels, which leaves a bit of concern about the former position of Bob McMullan, who did his best to kick the life out of the ethanol industry and also about the position of one of the former leaders, Simon Crean. He was another one who, unfortunately for the ethanol industry, managed to kick it to pieces. We would be interested to hear from Mr Beazley what his intentions are in that context, rather than just a generic statement that he is interested in the biorenewable fuel industry. The Labor leader of Queensland says that his own federal colleagues are off the game on this one and that they are dragging the chain. Mr Beazley, apart from a generic statement, has done the same.

It is very important before I go home tonight after listening to that speech that I mention the thing that sticks in my mind and which will stick in everybody’s mind: Mr Beazley is going to sell Telstra, and always was. What we heard over the last six months was a charade and the opposition were completely insincere in the arguments they proffered to us. They were never once honest with us.

**Juvenile Diabetes**

*Senator WORTLEY* (South Australia) *(9.25 pm)*—I rise tonight to speak about an issue that I have recently come to learn quite a lot about through the eyes of 14-year-old Georgia, who lives in Hobart. It is timely to speak about this issue, because the month of May is Jelly Baby Month, organised by the Juvenile Diabetes Research Foundation to raise awareness and funds for research into juvenile diabetes in Australia.

I was at the hospital in Adelaide on the night of Georgia’s birth. She was a healthy baby girl who grew into a beautiful child, full of energy and enthusiasm for life. At the age of 13, Georgia was diagnosed with juvenile diabetes type 1. It was a shock. In her own words, she had no idea what type 1 diabetes was. She said to me:

I thought maybe it was a food disorder which meant you could no longer have sugar. When I started to learn about it, it was a really big shock to learn that I would need to have 4 injections a day for the rest of my life or until a cure is found.
Australia has one of the highest rates of type 1 diabetes in the world, with more than 140,000 children and adults suffering from the disease. And, according to recent reports by the Australian Institute of Health and Welfare, the incidence of newly diagnosed cases of children aged zero to 14 with type 1 diabetes is on the increase.

In Australia today around one in 700 children has juvenile diabetes type 1. It is the most common endocrine disease in childhood and adolescence, with 50 per cent of cases diagnosed before the age of 16. It is increasing at the rate of 3.2 per cent a year, and over the past five years the incidence has doubled in children under five years of age. The reasons for the increase in type 1 diabetes are not known, although some researchers believe that environmental factors may play a role.

Unfortunately, diabetes often goes undiagnosed for some time because many of its symptoms seem so harmless. However, recent studies indicate that the early detection of diabetes symptoms and treatment can decrease the chance of developing the complications of the disease. Some of the symptoms include: frequent urination, excessive thirst, constant hunger, increased fatigue, irritability, blurry vision, sudden weight loss, infections and nausea. Not all people with some or all of these symptoms have or will develop diabetes, but it is important that we be aware of the symptoms and, where they appear, have them checked out by a medical professional.

Only weeks before Georgia’s diagnosis, we were out doing what many teenage girls would put high on their list of things to do: shopping for clothes for her. That day, her ability to consume food and water amazed me. Her lethargy after only an hour of looking and trying on clothes puzzled me, but I certainly did not think that she was unwell. Just weeks later, after having been unwell for a few days, her condition deteriorated, and Nanna Kath rushed her to hospital, where she was unexpectedly diagnosed with type 1 diabetes. She spent the next seven days in hospital, while medical professionals stabilised her blood sugar levels and instructed her on the changes she would need to make to her day-to-day life.

Georgia was recently fitted with an insulin pump that has made life somewhat easier. This was only made possible through research funding and the dedication of many. It has resulted in a sense of normality in day-to-day living for her, and for the thousands of others who are able to take advantage of this medical technology. Georgia stressed to me the importance of people not treating you differently just because you have been diagnosed with diabetes and the importance of knowing that you can still achieve success in your chosen field, whether it be sport, music, singing or even acting. She went on to reel off names of famous people who have been successful and who live with type 1 diabetes, including Oscar winner Halle Berry and AFL Crows player Nathan Bassett.

The jelly baby was chosen by the Juvenile Diabetes Research Foundation as a symbol of hope for children and adults with type 1 diabetes. A handful of jelly babies can prevent them falling into a coma when blood sugar levels fall dangerously low. There is hope for the future with the extension of research into islet transplantation hopefully leading to a pathway to a cure for people with type 1 diabetes. Research and adequate funding for that research are crucial to finding a cause and a much wanted cure for so many.

Senate adjourned at 9.30 pm
The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part—

105—
   AD/CESSNA 208/17—Flight into Icing Conditions [F2006L01467]*.
   AD/CESSNA 208/19 Amdt 1—Flight and Ground Icing Operations [F2006L01465]*.
   AD/CESSNA 208/20—Flight into Icing Conditions [F2006L01463]*.

106—AD/RB211/35 Amdt 2—High Pressure Turbine [F2006L01464]*.

Fisheries Management Act—Select Legislative Instrument 2006 No. 90—Fisheries Management Amendment Regulations 2006 (No. 1) [F2006L01439]*.

Fringe Benefits Tax Assessment Act—Select Legislative Instrument 2006 No. 103—Fringe Benefits Tax Amendment Regulations 2006 (No. 1) [F2006L01441]*.

Lands Acquisition Act—Statements describing property acquired by agreement for specified public purposes under sections—

40.

125.

Motor Vehicle Standards Act—

   Vehicle Standard (Australian Design Rule 69/00—Full Frontal Impact Occupant Protection) 2006 [F2006L01455]*.

Primary Industries and Energy Research and Development Act—Select Legislative Instrument 2006 No. 92—Fisheries Research and Development Corporation Amendment Regulations 2006 (No. 1) [F2006L01452]*.

Primary Industries (Customs) Charges Act—Select Legislative Instrument 2006 No. 93—Primary Industries (Customs) Charges Amendment Regulations 2006 (No. 1) [F2006L01432]*.

Primary Industries Levies and Charges Collection Act—Select Legislative Instrument 2006 No. 94—Primary Industries Levies and Charges Collection Amendment Regulations 2006 (No. 1) [F2006L01438]*.

Wheat Marketing Act—Select Legislative Instrument 2006 No. 95—Wheat Marketing Amendment Regulations 2006 (No. 1) [F2006L01436]*.


* Explanatory statement tabled with legislative instrument.
**QUESTIONS ON NOTICE**

The following answers to questions were circulated:

**Transport and Regional Services : Consultants**

*(Question Nos 586 and 612)*

**Senator Chris Evans** asked the Minister for Transport and Regional Services and the Minister for Local Government, Territories and Roads, upon notice, on 4 May 2005:

With reference to the department and/or its agencies:

1. For each financial year from 2000-01 to 2004-05 to date: (a) how many consultants were engaged by the department and/or its agencies to conduct surveys of community attitudes to departmental programs and what was the total cost; and (b) for each consultancy: (i) what was the cost, (ii) who was the consultant, and (iii) was this consultant selected by tender; if so, was the tender select or open; if not, why not.

2. Were any of the surveys released publicly; if so, in each case, when was the material released; if not, in each case, what was the basis for not releasing the material publicly.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

Data for the department is shown below. There was a nil response from portfolio agencies.

All figures are GST inclusive.

<table>
<thead>
<tr>
<th>Cost</th>
<th>Consultant</th>
<th>Consultancy details</th>
<th>Tender details</th>
<th>Release details</th>
</tr>
</thead>
<tbody>
<tr>
<td>$128,753</td>
<td>Quantum Market Research</td>
<td>Market test advertising concepts – Regional Services, Development and Local Government</td>
<td>Select tender</td>
<td>For internal use</td>
</tr>
<tr>
<td>$95,535</td>
<td>Taverner Research Company</td>
<td>Survey on speeding and enforcement</td>
<td>Select tender</td>
<td>Released April 2003</td>
</tr>
<tr>
<td>$330,889</td>
<td>Quantum Market Research</td>
<td>Survey of attitudes towards Commonwealth Regional Development Programs</td>
<td>Select tender</td>
<td>For internal use</td>
</tr>
<tr>
<td>$83,031</td>
<td>Social Research Centre</td>
<td>Survey into community attitudes to road safety</td>
<td>Open tender</td>
<td>Released May 2005</td>
</tr>
<tr>
<td>$27,225</td>
<td>Solutions Marketing and Research</td>
<td>Survey to assess the attitudes and perceptions of regional communities to the branding of a new approach to delivery of regional programs</td>
<td>Select tender</td>
<td>For internal use</td>
</tr>
<tr>
<td>$40,524</td>
<td>Quantum Market Research</td>
<td>Market research Commonwealth Regional Information Service campaign</td>
<td>Select tender</td>
<td>For internal use</td>
</tr>
<tr>
<td>$81,811</td>
<td>Social Research Centre</td>
<td>Survey into community attitudes to road safety</td>
<td>Open tender</td>
<td>Released May 2005</td>
</tr>
<tr>
<td>$89,540</td>
<td>Quantum Market Research</td>
<td>Evaluation of the Australian Government Regional Information Service</td>
<td>An existing contract with the consultant was extended</td>
<td>For internal use in planning future service delivery</td>
</tr>
<tr>
<td>$98,010</td>
<td>Quantum Market Research</td>
<td>Research into the need to communicate the benefits of AusLink</td>
<td>An existing contract with the consultant was extended</td>
<td>For internal use</td>
</tr>
</tbody>
</table>
Thursday, 11 May 2006

Agriculture, Fisheries and Forestry: Consultants
(Question No. 594)

Senator Chris Evans asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 4 May 2005:

(1) For each financial year from 2000-01 to 2004-05 to date: (a) how many consultants were engaged by the department and/or its agencies to conduct surveys of community attitudes to departmental programs and what was the total cost; and (b) for each consultancy: (i) what was the cost, (ii) who was the consultant, and (iii) was this consultant selected by tender; if so, was the tender select or open; if not, why not.

(2) Were any of the surveys released publicly; if so, in each case, when was the material released; if not, in each case, what was the basis for not releasing the material publicly.

Senator Abetz—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

Details of consultants engaged by the Department from 2000-01 to 2004-05 can be found in corresponding departmental Annual Reports. Please note that the 2003-04 and 2004-05 DAFF Annual Reports have been amended to correct under-reporting on consultancy expenditure. Corrigenda for each year have since been posted to the DAFF Internet site: http://www.daff.gov.au/annualreport.
Details of consultants engaged by the Portfolio agencies from 2000-01 to 2004-05 can be found in their corresponding Annual Reports which are available electronically on their website addresses listed below. Where electronic Annual Report versions are not available on websites, extracts from other Annual Reports within the period have been provided as attachments to this response.

Australian Pesticides and Veterinary Medicines Authority

Australian Fisheries Management Authority

Australian Wine and Brandy Corporation

Cotton Research and Development Corporation
2000-01 Annual Report extract at Attachment A.

Fisheries Research and Development Corporation
http://www.frdc.com.au
2000-01 Annual Report extract at Attachment B.
2001-02 Annual Report extract at Attachment C.
2002-03 Annual Report extract at Attachment D.
2003-04 Annual Report extract at Attachment E.

Forest and Wood Products Research and Development Corporation

Grains Research and Development Corporation

Grape and Wine Research and Development Corporation

Land & Water Australia

Rural Industries Research and Development Corporation

Sugar Research and Development Corporation
2001-02 Annual Report contains a nil response for consultancies.
2002-03 Annual Report contains a nil response for consultancies.

Wheat Export Authority
2004-05 Annual Report extract at Attachment F.

QUESTIONS ON NOTICE
During the year, the FRDC engaged three consultancies (as defined in the Department of Prime Minister and Cabinet document, Requirements for departmental annual reports) to the value of $10,000 or more:

<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Blake Dawson Waldron Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature and purpose of consultancy:</td>
<td>Advice on setting up Seafood Services Australia as a company; review of employment contracts and research agreements</td>
</tr>
<tr>
<td>Cost:</td>
<td>$26,229</td>
</tr>
</tbody>
</table>
No one was publicly advertised. The reasons for engaging the consultancy services, consistent with the FRDC’s supplier selection policy, were: the need for independence in carrying out the services; unavailability among FRDC staff of the skills and time required to perform the task; and availability of consultants known to have the requisite skills where the value of the project did not justify the expense or delay associated with seeking tenders.

2001-02 FRDC Consultancy services - Attachment C

During the year, the FRDC engaged two consultancies (as defined in the Department of Prime Minister and Cabinet document, Requirements for departmental annual reports) to the value of $10,000 or more:

<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Nature and purpose of consultancy:</th>
<th>Cost:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fisheries Economics Research and Management Specialists</td>
<td>Benefit-cost analysis of five completed FRDC projects</td>
<td>$28,996.05</td>
</tr>
<tr>
<td>Blake Dawson Waldron Lawyers</td>
<td>Advice on legislative requirements and project agreements</td>
<td>$33,257.73</td>
</tr>
</tbody>
</table>

None of the consultancies was publicly advertised. The reasons for engaging the consultancy services, consistent with the FRDC’s supplier selection policy, were: the need for independence in carrying out the services; unavailability among FRDC staff of the skills and time required to perform the task; and availability of consultants known to have the requisite skills where the value of the project did not justify the expense or delay associated with seeking tenders.

2002-03 FRDC Consultancy services - Attachment D

During the year, the FRDC engaged three consultancies (as defined in the Department of Prime Minister and Cabinet document, Requirements for departmental annual reports) to the value of $10,000 or more:
<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Blake Dawson Waldron Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature and purpose of consultancy:</td>
<td>Legal advice — particularly in relation to development of best-practice project agreements and project management agreements, a proposed promotion initiative, purchase of a shareholding in Australian Seafood Co-products Pty Ltd, and contracts with the Department of Agriculture, Fisheries and Forestry.</td>
</tr>
<tr>
<td>Cost:</td>
<td>$77,650</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Fisheries Economics Research and Management Specialists</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature and purpose of consultancy:</td>
<td>Benefit-cost analysis of five completed FRDC projects</td>
</tr>
<tr>
<td>Cost:</td>
<td>$29,000</td>
</tr>
</tbody>
</table>

None of the consultancies was publicly advertised. The reasons for engaging the consultancy services, consistent with the FRDC’s supplier selection policy, were the need for independence in carrying out the services; unavailability among FRDC staff of the skills and time required to perform the task; and availability of consultants known to have the requisite skills where the value of the project did not justify the expense or delay associated with seeking tenders.

2003-04 FRDC Consultancy services - Attachment E

During the year, the FRDC engaged three consultancies (as defined in the Department of Prime Minister and Cabinet document, Requirements for departmental annual reports) to the value of $10,000 or more:

<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Blake Dawson Waldron Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature and purpose of consultancy:</td>
<td>Legal advice — particularly in relation to development of best-practice project agreements and project management agreements, a proposed promotion initiative, purchase of a shareholding in Australian Seafood Co-products Pty Ltd, and contracts with the Department of Agriculture, Fisheries and Forestry.</td>
</tr>
<tr>
<td>Cost:</td>
<td>$77,650</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of consultant:</th>
<th>Fisheries Economics Research and Management Specialists</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature and purpose of consultancy:</td>
<td>Benefit-cost analysis of five completed FRDC projects</td>
</tr>
<tr>
<td>Cost:</td>
<td>$29,000</td>
</tr>
</tbody>
</table>

None of the consultancies was publicly advertised. The reasons for engaging the consultancy services, consistent with the FRDC’s supplier selection policy, were the need for independence in carrying out the services; unavailability among FRDC staff of the skills and time required to perform the task; and availability of consultants known to have the requisite skills where the value of the project did not justify the expense or delay associated with seeking tenders.
**Consultants and Competitive Tendering**

The CEO provides instructions for the WEA’s policy and procedures for procurement of goods and services, including consultancies. A consultant is defined as a specialist engaged to undertake short-term projects that assist the development or refinement of the WEA’s activities. Consultancies must be approved by the CEO prior to a purchase order and/or contract being issued. The WEA has a policy of employing consultants only where specialist skills cannot be internally sourced or where independence is beneficial. In 2004-05 the WEA engaged the following consultants on projects with a value over $10,000.

### Summary of Contracted Services

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Provider</th>
<th>Reason for engagement</th>
<th>Value (Excl. GST)</th>
<th>Procurement method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information collection, modelling and analysis to support AW&amp;I (I) Performance Monitoring</td>
<td>The Allen Consulting Group</td>
<td>Specialised skills not available in the WEA</td>
<td>$215,258</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>Financial services</td>
<td>Walter Turnbull</td>
<td>Need to access independent high level technical experience and expertise</td>
<td>$63,840</td>
<td>Direct engagement</td>
</tr>
<tr>
<td>Market research and intelligence</td>
<td>Austrade</td>
<td>Specialised skills not available in the WEA</td>
<td>$13,110</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>Market research and intelligence</td>
<td>Dun &amp; Bradstreet</td>
<td>Specialised skills not available in the WEA</td>
<td>$25,550</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>Communications and public relations services</td>
<td>Professional Public Relations</td>
<td>Specialised skills not available in the WEA</td>
<td>$17,718</td>
<td>Selective Tender</td>
</tr>
<tr>
<td>Graphic Design Services</td>
<td>Four Design Group</td>
<td>Specialised skills and equipment not available in the WEA</td>
<td>$14,474</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>Printing</td>
<td>National Capital Printing</td>
<td>Specialised skills not available in the WEA</td>
<td>$18,730</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>IT/Database development services &amp; tender evaluation</td>
<td>Evalua</td>
<td>Specialist skills not available in the WEA</td>
<td>$21,109</td>
<td>Direct engagement</td>
</tr>
<tr>
<td>Office Design &amp; Office fit out construction services</td>
<td>Galeffi Building Services</td>
<td>Specialised skills not available in the WEA</td>
<td>$88,320</td>
<td>Selective tendering</td>
</tr>
<tr>
<td>Recruitment Services</td>
<td>Stelle International Pty Ltd</td>
<td>Need to access high level recruitment experience and expertise</td>
<td>$19,590</td>
<td>Direct engagement</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$497,999</strong></td>
<td></td>
</tr>
</tbody>
</table>
Advertising Campaigns
(Question No. 755 supplementary)

Senator Chris Evans asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 4 May 2005:

For each financial year from 2000-01 to 2002-03 can the following information relating to advertising be provided:

(1) (a) What advertising campaigns were commenced; and (b) for what programs.
(2) In relation to each campaign: (a) what was its total cost, including a breakdown of advertising costs for: (i) television placements, (ii) radio placements, (iii) newspaper placements, (iv) mail outs with brochures, and (v) research on advertising; and (b) what was the commencement and cessation date for each aspect of the campaign placement.
(3) For each campaign: (a) on which television stations did the advertising campaign screen; (b) on which radio stations did the advertising campaign feature; and (c) in which newspapers did the advertising campaign feature.
(4) Which: (a) creative agency or agencies; and (b) research agency or agencies, were engaged for the campaign.
(5) In the event of a mail out, what database was used to select addresses – the Australian Taxation Office database, the electoral database or other.
(6) (a) What appropriations did the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) in which financial year will these appropriations be made; (c) will the appropriations relate to a departmental No. 22—10 May 2005 99 or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.
(7) Was a request made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.
(8) Did the Minister for Finance and Administration issue a drawing right as referred to in paragraph (7); if so, what are the details of that drawing right.
(9) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

Senator Abetz—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question; this answer replaces the answer provided on 27 March 2006 (Official Hansard page 116):

ANSETT ASSISTANCE PACKAGE

(1) (a) Ansett Assistance Package
(b) Special Employee Entitlements Scheme for Ansett Group Employees
(2) (a) The total cost was $498,369.82, the breakdown for which is:
(i) Nil
(ii) Nil
(iii) $498,369.82
(iv) Nil
(v) Nil

(b) The newspaper advertisements were run between 20-29 September 2001

(3) (a) Nil

(b) Nil

(c) The newspapers in which the advertisements appeared are listed below


(4) (a) Mitchell And Partners Pty Ltd

(b) None

(5) N/A

(6) (a) The Special Appropriation established under section 22(5) of the Air Passenger Ticket Levy (Collection) Act 2001
QUESTIONS ON NOTICE

(b) 2001-2002
(c) Administered item
(d) Special Employee Entitlements Scheme for Ansett Group Employees

(7) No
(8) N/A
(9) No

GENERAL EMPLOYEE ENTITLEMENTS AND REDUNDANCY SCHEME (GEERS)

(1) (a) GEERS
(b) Employee entitlements basic payment schemes

(2) (a) The total cost was $31,993.18, the breakdown for which is:
   (i) Nil
   (ii) Nil
   (iii) $27,958.63
   (iv) $4,034.55
   (v) Nil

   (b) Advertising in the Australian Insolvency Journal and on the Insolvency Practitioners Association of Australia (IPAA) website occurred quarterly over the period 1 July 2000 to 30 June 2003.

(3) (a) Nil
(b) Nil
(c) The Australian Insolvency Journal and the website on which the advertisements appeared are those of the Insolvency Practitioners Association of Australia (IPAA).

(4) (a) None
(b) None

(5) Insolvency Practitioners Association of Australia (IPAA)

(6) (a) Delegations in accordance with the Financial Management Accountability Act 1997
(c) Administered item
(d) Employee Entitlements Scheme

(7) No
(8) N/A
(9) No

JOB NETWORK

(1) (a) For the financial year 2000–01, the Job Network campaign was commenced by the Department.

   For the financial year 2001-02, the Work for the Dole campaign was commenced by the Department.

   (b) The campaigns were for the Job Network and Work for the Dole programmes.

(2) (a) The total cost for the Job Network campaign was $5.3 million.

   The total cost of the Work for the Dole campaign was $4.4 million.

QUESTIONS ON NOTICE
(i) Television placements for the Job Network campaign cost $2.3 million. Television placements for the Work for the Dole campaign cost $1.9 million.

(ii) Radio placements for the Job Network campaign cost $640 000. Newspaper placements for the Job Network campaign cost $900 000. Newspaper placements for the Work for the Dole campaign cost $1 million.

(iv) Nil.

(v) Research for the Job Network campaign cost $265 000. Research for the Work for the Dole campaign cost $174 000.

NOTE: All figures are inclusive of GST.


(3) (a) For the Job Network campaign, advertisements appeared on all national television stations including SBS. Placements were also made on Pay TV.

For the Work for the Dole campaign, advertisements appeared on all national television stations including SBS. Placements were also made on Pay TV.

(b) For the Job Network Campaign, radio advertisements were placed on all metropolitan and regional radio stations including breakfast radio sessions and print handicapped radio.

(c) For the Job Network campaign, advertisements appeared in the following national and capital city newspapers:


Advertisements also appeared in Indigenous, rural, regional, ethnic and suburban newspapers across Australia.

For the Work for the Dole campaign, advertisements appeared in the following capital city newspapers:


Advertisements also appeared in regional, rural, ethnic and Indigenous newspapers across Australia.

(4) (a) Creative agency Lowe Lintas and Partners was engaged for the Job Network campaign. Creative agency Vinten Browning was engaged for the Work for the Dole campaign.

(b) Research agency Worthington Di Marzio was engaged for the Job Network campaign. Research agency Wallis Consulting was engaged for the Work for the Dole campaign.

(5) No mail outs were conducted for the above campaigns.

(6) (a) Administered and Departmental Appropriations.

QUESTIONS ON NOTICE
(b) 2000–01, 2001–02 and 2002–03
(c) Administered and departmental appropriations which were supplied through Appropriation Act (No 1) for 2000–01, 2001–02 and 2002–03.
(d) Administered Appropriation: The relevant Portfolio Budget Statement included the proposed expenditure for advertising within the relevant Programme (e.g. Job Network) amount within Outcome 1.

(7) No
(8) No
(9) Yes

Civil Aviation Safety Authority: Chief Executive Officer
(Question No. 1474)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 17 January 2006:

(1) Since the 2000-01 financial year, on how many occasions have family members accompanied the Chief Executive Officer (CEO) of the Civil Aviation Safety Authority (CASA) on official trips.

(2) In each case:
   (a) who travelled with the CEO;
   (b) was the travel intrastate, interstate or international;
   (c) if international:
      (i) when did the travel commence
      (ii) what countries were visited, and
      (iii) when did the travel conclude;
   (d) if interstate:
      (i) when did the travel commence,
      (ii) what was the state of origin,
      (iii) what states were visited, and
      (iv) when did the travel conclude;
   (e) did CASA meet the:
      (i) cost of travel,
      (ii) cost of accommodation, and
      (iii) related costs, for family members; if so: what costs were met, who approved the funding, and was the Minister or his office informed prior to the travel.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) Twice.
(2) (a) Mrs Jennifer Byron.
    (b) One interstate and one international.
    (c) (i) 16 May 2005.
        (ii) UK, France and Germany.
        (iii) 13 June 2005.
(d) if interstate:
   (i) 19 September 2005.
   (ii) Victoria.
   (iii) Queensland.
   (iv) 30 September 2005.

(e) (i) In relation to the overseas visit, CASA incurred the following:
   - International airfares (Melbourne-London return), $14,475.73
   - Airfare (London-Cologne return), $239.09
   (ii) No additional costs were incurred by CASA for Mrs Byron’s accommodation on each occasion.
   (iii) Whilst overseas CASA incurred no further costs for Mrs Byron.
   CASA incurred $379.85 in meals whilst in Queensland, and travel costs of $1755.55.
   Funding was from the budget of the Office of the CEO.
   Approval from the Minister was received prior to both trips.

Forestry Plantations
(Question No. 1576)

Senator Siewert asked the Minister for Fisheries, Forestry and Conservation, upon notice, on 8 February 2006:

(1) Is the Minister aware of the statement in a Great Southern Plantations (GSP) Ltd media release of Thursday, 17 February 2005, by the project operator GSP that ‘The Sylvatech acquisition will provide Great Southern access to extensive plantation land for future projects at a significant discount to current market prices for land in Great Southern’s traditional plantation regions’.

(2) Is the Minister aware that, according to GSP’s own information to its shareholders, it is paying the Tiwi Island Indigenous land owners a rental of around one dollar per hectare per year for the forested land that is being cleared for woodchip plantations.

(3) Is the Minister aware of the prices GSP and other woodchip plantation companies pay per hectare per year for land rental or lease in southern growing areas; if so, can details of these prices be provided.

(4) Is the Minister concerned that Tiwi Island Indigenous land owners are being disadvantaged in renting their land so far below current market rates.

(5) What does the Minister intend doing to rectify this corporate behaviour.

Senator Abetz—The answer to the honourable senator’s question is as follows:

(1) Yes I am aware of this statement. The significant competition for land in the traditional (southern) plantation regions results in a competitive land market price for forestry and agricultural uses. These regions have extensive established infrastructure which is reflected in the price of land. In the Tiwi Islands by contrast, the Tiwi people hold inalienable freehold title to the land under the Aboriginal Land Rights (Northern Territory) Act 1976. As a result the land cannot be bought or sold. Also, there is little to no infrastructure, less competition for the land and therefore, lower market prices for the land.

(2) Great Southern have agreed to lease the land for $17/ha + 2% of net harvest proceeds for land that is plantation ready. In addition, Great Southern has agreed to pay $1/ha to secure the option to potentially utilise that land in the future, subject to joint agreement with the Tiwi Land Council and Australian Government approval. These figures are indexed to inflation and are reviewed to market
every 3 years. The prices were agreed to following two separate valuations. One was conducted on behalf of Great Southern by an independent valuer. The other valuation was performed by the Australian Valuation Office on behalf of the Tiwi Island Council. Additionally, revenue raised from the sale of the cleared timber accrues to the Tiwi Islanders.

(3) No I am not aware of the prices that Great Southern and other woodchip plantation companies pay per hectare for land rental or lease in southern areas. Great Southern purchases rather than leases the vast majority of land used for its plantations. Whilst lease arrangements do occur in the industry this information is treated as “commercial in confidence” between the companies and the individual land holders. Rental and lease arrangements vary markedly depending on competition with other land uses, proximity to ports, roading requirements, species planted, potential growth rates and individual requirements of the land owners.

(4) I understand that at the time of Great Southern’s purchase of Sylvatech, an independent valuation by a qualified valuer was undertaken to determine the rental return matrix to the Tiwi people. Similarly, the Tiwi have engaged the Australian Valuation Office to verify that correct and fair market rents are paid. Tiwi Islanders are guaranteed an income flow in the future, as well as in the short-term, as they receive returns from the sale of timber. Furthermore, at the completion of the project, the established plantations along with any development (including the port) and an experienced and well trained local workforce revert to the Tiwi people. I see advantages for the Tiwi Island people to be able to self-determine the use of their resources and the income it derives. I understand the Tiwi people are supportive of the project and its outcomes.

(5) It could be interpreted as highly patronising to seek to intervene in the arrangements freely entered into by the Tiwi people and Great Southern.

**Foreign Flagged Ships**

(Question No. 1599)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 27 February 2006:

(1) Can details be provided of all foreign flagged ships that have operated on the Australian coastline under single or continuous voyage permits since 1 September 2005, including: (a) the name of the ship; (b) the dates the ship operated on the Australian coastline; (c) the cargo carried; (d) the country of origin of the ship; (e) details of the nationality of the crew; and (f) the type of permit under which the ship operated.

(2) (a) Which of these ships carried ammonium nitrate; and (b) can details be provided, including the dates of passage and the ports between which this cargo was carried.

(3) (a) Which of these ships carried high consequence dangerous goods; (b) can details be provided, including the cargo, the dates of passage and the ports between which these cargoes were carried; and (c) if it is not possible to identify which foreign ships were carrying high consequence goods on the Australian coastline under a single or continuous voyage permit, why not.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) The information relating to questions 1 (a), (b), (c), (d), and (f) is at attachment A. The Australian Customs Service was consulted regarding question 1 (e) but does not have the resources to undertake the nationality search for each of these voyages.

(2) The information relating to questions 2 (a) and (b) can be found at attachment B.

(3) The UN Model Regulations on the Transport of Dangerous Goods defines over 1000 high consequence dangerous goods (HCDGs). I am not prepared to commit the resources that would be re-
required to identify the individual commodities that were carried on each of these voyages and identify which of these commodities are HCDGs so as to identify which of these ships carried HCDGs.

**Attachment A**

<table>
<thead>
<tr>
<th>Vessel (a)</th>
<th>Date (b)</th>
<th>Cargo Category</th>
<th>Port of Registry (c)</th>
<th>Permit Type (f)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANL AUSTRALIA</td>
<td>03-Oct-05</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>ANL AUSTRALIA</td>
<td>23-Jan-06</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>ANL EMBLEM</td>
<td>07-Oct-05</td>
<td>General Cargo</td>
<td>Limassol</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>ANL EXPLORER</td>
<td>03-Nov-05</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>ANL EXPLORER</td>
<td>23-Jan-06</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>Aotearoa Chief</td>
<td>21-Dec-05</td>
<td>General Cargo</td>
<td>Hong Kong</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>APL Jakarta</td>
<td>06-Dec-05</td>
<td>General Cargo</td>
<td>Monrovia</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>APL Jakarta</td>
<td>22-Feb-06</td>
<td>General Cargo</td>
<td>Monrovia</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>APL Melbourne</td>
<td>28-Oct-05</td>
<td>General Cargo</td>
<td>Hamburg</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>APL Melbourne</td>
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<td>Hamburg</td>
<td>Continuing Voyage Permit</td>
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<tr>
<td>BUNGA TERATAI DUA</td>
<td>27-Jan-06</td>
<td>General Cargo</td>
<td>Port Kelang</td>
<td>Continuing Voyage Permit</td>
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<td>CHANGSHA</td>
<td>30-Jan-06</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CHANGSHA</td>
<td>10-Feb-06</td>
<td>General Cargo</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CHEKIANG</td>
<td>10-Jan-06</td>
<td>General Cargo</td>
<td>Singapore</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CHEKIANG</td>
<td>10-Feb-06</td>
<td>General Cargo</td>
<td>Singapore</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CHENGTU</td>
<td>21-Dec-05</td>
<td>General Cargo</td>
<td>Bangkok</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CHENGTU</td>
<td>10-Feb-06</td>
<td>General Cargo</td>
<td>Bangkok</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CORAL CHIEF</td>
<td>21-Dec-05</td>
<td>General Cargo</td>
<td>Hong Kong</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CSCL GENOA</td>
<td>24-Oct-05</td>
<td>General Cargo</td>
<td>St.</td>
<td>Continuing Voyage Permit</td>
</tr>
<tr>
<td>CSCL GENOA</td>
<td>02-Feb-06</td>
<td>General Cargo</td>
<td>St.</td>
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<tr>
<td>CSCL JAKARTA</td>
<td>04-Nov-05</td>
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<td>St.</td>
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<td>CSCL JAKARTA</td>
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<td>St.</td>
<td>Continuing Voyage Permit</td>
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<td>CSCL KELANG</td>
<td>17-Jan-06</td>
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<td>St.</td>
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<td>CSCL YANTAI</td>
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<td>CSCL YANTAI</td>
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<td>Dry Bulk Cargo</td>
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<td>DEAUVILLE</td>
<td>15-Dec-05</td>
<td>Liquefied Petroleum Gas</td>
<td>Nassau</td>
<td>Continuing Voyage Permit</td>
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<td>Fanta</td>
<td>04-Nov-05</td>
<td>General Cargo</td>
<td>Panama</td>
<td>Continuing Voyage Permit</td>
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<td>Fanta</td>
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<td>General Cargo</td>
<td>Panama</td>
<td>Continuing Voyage Permit</td>
</tr>
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<td>Kamakura</td>
<td>05-Oct-05</td>
<td>General Cargo</td>
<td>Panama</td>
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<td>KIRIBATI CHIEF</td>
<td>12-Oct-05</td>
<td>General Cargo</td>
<td>Hong Kong</td>
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<td>Vessel (a)</td>
<td>Date (b)</td>
<td>Cargo Category</td>
<td>Port of Registry (c)</td>
<td>Permit Type (f)</td>
</tr>
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<td>KOTA EKSPRES</td>
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<td>KOTA PAHLAWAN</td>
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<td>Valletta</td>
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<td>Melbourne Star I</td>
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<td>Hamburg</td>
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<td>MH THAMRIN</td>
<td>29-Nov-05</td>
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<td>MSC IMMACOLATA</td>
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<td>Namhae Gas</td>
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<td>OOCL FIDELITY</td>
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<td>OOCL FREEDOM</td>
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<td>OOCL FRIENDSHIP</td>
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<td>PAPUAN CHIEF</td>
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<td>TASMAN CHIEF</td>
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<td>ANL ESPRIT</td>
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<td>CHANGSHA</td>
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<td>Columbia Leader</td>
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<td>Dolores</td>
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<td>Kamakura</td>
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<td>Panama</td>
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<td>KOTA EKSPRES</td>
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<td>Namhae Gas</td>
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<td>Permit Type (f)</td>
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<td>Hong Kong</td>
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Attachment B

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<td>Ammonium Nitrate in Bulka Bags</td>
<td>3,000</td>
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<td>Wyndham</td>
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**Avian Influenza**  
*(Question No. 1615)*

**Senator Allison** asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 14 March 2006:

(1) Has the Government investigated the utility of vaccinating domesticated poultry in Australia as a preventive action to combat bird flu.

(2) Would the vaccination of domesticated poultry protect the industry, therefore potentially saving millions of dollars, and also reduce the pool of the virus from which a mutation to a human form of the virus might occur.

(3) If targeted vaccination of birds were used around any future outbreaks of bird flu in Australia, would this provide a potential buffer zone that would reduce the likelihood of spreading of the disease.

(4) Is the Government considering banning free-range poultry if there are bird flu outbreaks in Australia.

(5) Is the Government stockpiling any of the existing anti-bird flu vaccines for poultry.

**Senator Abetz**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) Australia has a long standing no vaccination policy for avian influenza, as it is not considered advantageous to implement vaccination in Australia in the absence of disease within the country. Vaccination may mask the introduction of the disease in the country, allowing spread, whereas flocks without any immunity show immediate morbidity and mortality, alerting authorities for action. This
approach is agreed by the States, Territories and industry and is in accord with the recommendations of the international standard setting body for animal health, the World Organization for Animal Health (the OIE). The Australian veterinary emergency plan, AUSVETPLAN, provides guidance on the situations where the use of vaccination for the control of avian influenza should be considered. However, in light of the current global H5N1 situation and developments in vaccine technology, this approach is being kept under review. Any proposed changes to the approach would be considered by Commonwealth, State and Territory animal health authorities, in consultation with health officials, and industry prior to implementation. It is relevant to note that previous outbreaks of HPAI in Australia, due to H7 sub-types of the virus, were successfully eradicated without recourse to vaccination and without complication to the health of personnel involved in responding to the outbreaks.

(2) The preferred strategy for responding to an outbreak of avian influenza in Australia is stamping-out, that is rapid depopulation of all infected flocks. AUSVETPLAN recognizes that vaccination may be appropriate in some circumstances to assist in controlling or eradicating an outbreak of avian influenza. Vaccination, while protecting birds from disease, may mask infection, be the incorrect subtype to use (when the outbreak strain is unknown) and is only short-lived before revaccination would be needed. It is considered highly unlikely that a pandemic strain of virus would emerge within Australia: conditions in overseas countries are more likely to lead to emergence of a pandemic strain. In the event of an avian influenza outbreak in Australia, plans are in place to protect workers involved in response activities on infected farms against infection.

(3) AUSVETPLAN envisages the possibility that vaccination could be employed, but after other prevention methods have failed. If vaccination is chosen as a useful strategy in response to an outbreak of avian influenza in poultry, it could be used in a variety of ways. The circumstances of the particular outbreak (for example its geographical isolation and the biosecurity of bird populations) would need to be considered in developing the response strategy. Vaccination could be used to provide a buffer zone around an infected area, to reduce the likelihood of disease spread; targeted vaccination can be used to protect high-value or high-risk flocks; or mass vaccination could be used, particularly if other disease control strategies prove to be ineffective. The use of vaccination has to be considered, however, in the context of possible impacts as described in (2).

(4) Banning of free-range poultry production is an issue that falls within the responsibilities of the State and Territory governments. In an outbreak situation to ensure consistency State, Territory and Commonwealth veterinary authorities would consider the risks through the Consultative Committee on Emergency Animal Diseases (CCEAD) and whether it were necessary to impose particular risk management measures in the circumstances. In an outbreak of highly pathogenic avian influenza, free-range poultry would likely be given high priority for disease surveillance and for vaccination (should this be used as a control strategy) because of their vulnerability to infection.

(5) The Government is working with the poultry industry and with vaccine companies to fast-track regulatory processes to permit the importation and use of avian influenza vaccines in poultry in Australia if required in an emergency situation, and to identify options to ensure rapid availability of vaccine should the need arise.

Chen Long

(Question No. 1616)

Senator Ludwig asked the Minister for Fisheries, Forestry and Conservation, on notice, upon 14 March 2006:

With reference to the interception of the Chen Long vessel: Since the vessel was intercepted by the Australian Fisheries Management Authority (AFMA), has the Office of Parliamentary Counsel received a request or drafting instruction from AFMA, the Australian Quarantine and Inspection Service, Austra-
lian Customs or the Minister for Agriculture, Fisheries and Forestry; if so: (a) what is the nature of the requests; (b) when were they received; and (c) what priority has been assigned to this bill.

Senator Abetz—The answer to the honourable senator’s question is as follows:
The Australian Government is yet to refer any request to the Office of Parliamentary Counsel. However, we are still investigating changes to legislation to prevent boats engaged in illegal, unregulated or unreported fishing activity anywhere in the world from using Australian waters as a safe haven. Once our investigation is completed drafting instructions will be issued to the Office of Parliamentary Counsel if necessary.

Chen Long
(Question No. 1617)

Senator Ludwig asked the Minister for Fisheries, Forestry and Conservation, upon notice, on 14 March 2006:

(1) Where is the law inadequate in relation to the Chen Long detention.
(2) Has advice been received in relation to any deficiencies or gaps to relevant laws applicable in this instance.
(3) What changes to the law are being urgently considered.

Senator Abetz—The answer to the honourable senator’s question is as follows:

(1) Where it is claimed that the fish being carried by a vessel have been taken outside the Australian Fishing Zone, unless there is evidence to the contrary, no offence has been committed.
(2) Yes. Refer to the answer for question (1).
(3) The Government is currently investigating the scope for changing legislation, for example the Fisheries Management Act 1991, to prevent boats that have been engaged in illegal, unregulated or unreported fishing activity anywhere in the world from using Australian waters as a safe haven. The objective is to make it a crime to carry illegal, unregulated or unreported fish catches in our waters. The detail of the proposed changes has yet to be determined.

Chen Long
(Question No. 1618)

Senator Ludwig asked the Minister for Fisheries, Forestry and Conservation, on notice, upon 14 March 2006:

With reference to the Australian Fisheries Management Authority’s (AFMA’s) role in the capture and detention of the Chen Long:

(1) What section of what Act was used to effect the initial detention.
(2) Were further grounds for detention used during the duration.
(3) Can details be provided indicating how the AFMA became aware of the vessel, including detection, subsequent monitoring, length and means of surveillance and the vessel’s position and course.
(4) How was the decision to detain the vessel arrived at and who were the participants in the decision-making process (indicating position number and title, not names).
(5) Were the ship’s log and records sequestered and were they relied upon either as grounds for detention or prosecutorial evidence for a Commonwealth offence; if so, can the details be provided outlining the grounds for detention and the power used and/or grounds for prosecutorial evidence and the offence used.
(6) Regarding the detention of the Chinese freighter Chen Long, what was the cost per day for refrigeration of the 639 tonnes of reef fish.
QUESTIONS ON NOTICE

(7) What were the costs of interception and escort of vessel to port.
(8) What were the costs of guarding services of vessel whilst in port.
(9) What were the berthing costs per day for this vessel.
(10) Was maintenance and upkeep performed on this vessel during its detention; if so, by whom and what were the total costs.
(11) What was the total cost per day of the crew’s detention.
(12) What was the total cost of investigation.
(13) For how many days was the vessel in detention and for how long were the fish refrigerated.
(14) What other costs can be attributed to this operation.
(15) What was the total overall cost of this operation.
(16) Was this matter referred to Indonesia for investigation; if so, what was the response received.

Senator Abetz—The answer to the honourable senator’s question is as follows:

(1) The master of the *Chen Long* was ordered under Section 84(1)(k) of Fisheries Management Act 1991 to take his vessel to Darwin.
(2) The crew were detained pursuant to Section 8 of Schedule 1A of the Fisheries Management Act 1991 and subsequently under the Migration Act 1958.
(3) On 11 February 2006, a Coastrack aircraft sighted, photographed and reported the *Chen Long* at anchor three nautical miles inside the Australian Fishing Zone (AFZ). AFMA requested a response and the *HMAS Dubbo* was subsequently tasked to investigate. On 12 February 2006, the *HMAS Dubbo* intercepted the vessel at anchor three nautical miles inside the AFZ. Upon approaching the *Chen Long*, the *Chen Long* attempted to lift its anchor and started making way through the water, in doing so dragging its anchor. The *Chen Long* subsequently stopped when crew from the *HMAS Dubbo* boarded.
(4) The decision to order the master to take his vessel to Darwin was issued after consideration was given to the information provided to AFMA from the crew of the *HMAS Dubbo*. This information was obtained from the observations of the boarding crew, search and inspection of documents and electronic equipment and questioning of the vessel crew. The participants in the decision making process were the Commanding Officer of *HMAS Dubbo*, the AFMA Senior Compliance Officer on duty (position number 0186), the Manager Compliance Operations (position number 0183), the Senior Manager, Northern Operations (position number 0214), the General Manager Operations (position number 0057) and the Managing Director of AFMA (position number 0001).
(5) The investigation undertaken into whether a case existed against the master and/or crew of the *Chen Long* for offence/s against Sections 100, 100A, 101, 101A of the Fisheries Management Act 1991 included the examination of all ships papers located onboard the vessel and within the personnel effects of the master and crew. A number of these documents were included in the brief of evidence provided to the Commonwealth Director of Public Prosecutions.
(6) The total cost of maintenance for the refrigeration was $51,688.75 for 30 days.
(7) The question on costs for the interception and escort of the *Chen Long* to port should be addressed to the Hon Dr Brendan Nelson MP, Minister for Defence, as it falls within his portfolio responsibilities.
(8) The total cost of the 24 hrs caretaking/guarding service was $47,040 for 30 days.
(9) The cost of berthing the vessel was $7,471.68 for 30 days.
(10) AFMA engaged Maritime Engineers Pty Ltd to provide ship maintenance services. Maritime Engineers used a number of local subcontractors to provide the necessary specialist services. The total
cost of maintenance excluding the cost of keeping the freezers running as previously outlined in the answer to question (6) was $136,644.35.

(11) The Department of Immigration and Multicultural Affairs does not separate the detention costs for illegal foreign fishers from those of other detainees. For the 2004-05 financial year the average cost per detainee per day was $243.00 (There was a total 18 detainees from the Chen Long).

(12) AFMA expended $11,311.73 in officer time conducting the investigation.

(13) The vessel arrived on 16 February 2006 and departed on 17 March 2006, the fish remained refrigerated for this period which amounts to 30 days.

(14) Other costs that were incurred by AFMA include the costs of AQIS inspections, tug hire, bus charter for detained crew. These costs totalled $94,353.41.

(15) The total direct cost to AFMA was $348,509.92.

(16) Yes. The Indonesian authorities advised that it would be better or more effective if Australia could handle the investigation regarding the possible violation in Australia’s waters and they would investigate the vessel operator in Indonesia. The Indonesian authorities were also advised when the Chen Long was released. They responded by indicating that they had informed their patrol boats and surveillance authorities in the Arafura Sea.

Forestry: Grants
(Question No. 1646)

Senator Siewert asked the Minister for Fisheries, Forestry and Conservation, upon notice, on 24 March 2006:

With reference to the answer to question on notice no. 1331 (Senate Hansard, 9 February 2006, p. 106) and the $12.5 million Forestry Assistance Program for Western Australia and the $2.5 million Grants for Forest Communities program, announced by the Minister on 26 July 2004:

(1) Under each program: (a) what is the total amount that has been provided to date; and (b) how much more remains to be provided.

(2) Has the Australian National Audit Office (ANAO) undertaken an audit of these programs; if so, have the audit reports been tabled and if they have not, will the Minister table the audit reports.

(3) If the ANAO have not undertaken an audit of these programs: (a) why not; and (b) what steps have been taken to ensure that the grants have been used in accordance with the conditions attached to them.

Senator Abetz—The answer to the honourable senator’s question is as follows:

(1) (a) To date $7,059,141.74 has been provided to grant recipients through the Forestry Assistance Programme for Western Australia (FAPWA) and $690,153.09 has been provided to grant recipients through the Grants for Forest Communities Programme (GFC).
   (b) $5,220,330.26 remains to be expended under the FAPWA and $1,187,525.09 remains to be expended under the GFC. These totals exclude the amounts that have been formally declined by successful applicants.

(2) The ANAO has not undertaken an audit of the FAPWA or the GFC.

(3) (a) It is the responsibility of the ANAO to determine whether or not to undertake an audit of these programmes.
   (b) Legal, signed grant agreements are in place with each of the grant recipients before any funds are expended. The grant payments are made on a reimbursement basis once the recipients have provided the necessary proof of expenditure and required milestone reports. The grant agreements specify the milestone requirements for each grant. A final report is also required for
each grant, together with a report from an independent auditor or accountant before the last payment is made.

Parliament House: Water Use
(Question No. 1647)

Senator Bob Brown asked the President, upon notice, on 24 March 2006:

With reference to water use in Parliament House and around the parliamentary grounds:

(1) How much (in litres): (a) potable water; and (b) recycled water, has been used during the past 10 years.

(2) How much of this was used for outdoor landscaping and irrigation.

(3) How much was used in all other facilities, including kitchens, kitchenettes, toilets, urinals and en suites.

The President—The answer to the honourable senator’s question is as follows:

(1) In the last 10 financial years from 1995–1996 to 2004-2005 a total of 2,590 ML (1 ML = 1,000,000 litres) of water has been used at Parliament House as follows:

<table>
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<tr>
<th>Financial year</th>
<th>Consumption (ML)</th>
</tr>
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<tbody>
<tr>
<td>1995-1996</td>
<td>349</td>
</tr>
<tr>
<td>1996-1997</td>
<td>277</td>
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<td>1997-1998</td>
<td>229</td>
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<td>275</td>
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<tr>
<td>2003-2004</td>
<td>242</td>
</tr>
<tr>
<td>2004-2005</td>
<td>192</td>
</tr>
<tr>
<td>Total</td>
<td>2,590</td>
</tr>
</tbody>
</table>

(b) recycled: nil. Parliament House does not have any facilities, for using recycled water.

(2) Metering systems installed in 2001 show that since then approximately 64 per cent of water has been used for outdoor landscaping and irrigation.

(3) The remaining 36 per cent is used in all other facilities, including kitchens, kitchenettes, toilets, urinals, en suites, water features and air conditioning systems.

Parliament House: Waste Management
(Question No. 1648)

Senator Bob Brown asked the President, upon notice, on 24 March 2006:

With reference to waste management in Parliament House and around the parliamentary grounds:

(1) How much waste was generated, in tonnes, each year for the past 10 years.

(2) How much was recycled waste paper and how much was landfill.

(3) How much of the landfill waste is deemed to be putrescible (for example, food scraps).

(4) What is the recycled waste paper converted into.

(5) How much recyclable plastic and glass is separated out in the co-mingling program.

(6) How many plastic bags have been used each year for the past 10 years.
(7) How many of these plastic bags are biodegradable.

(8) (a) How much (in dollars per tonne) is Parliament House charged to dump waste in landfills; and
(b) what are the fee increases for waste per tonne expected over the next 5 to 10 years.

(9) (a) How much (in dollars per tonne) is Parliament House charged to recycle paper and dispose of
comiingled waste; and (b) how much does Parliament House receive in dividends for paper recy-
cling and comiingled materials.

The PRESIDENT—The answer to the honourable senator’s question is as follows:

(1) Accurate waste management records exist only from 1998-99 so seven years of data are presented.
The figures below exclude landscape waste, and printer cartridges recycled since 2004.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Waste (tonnes)</th>
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<tr>
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<td>894</td>
</tr>
<tr>
<td>1999/2000</td>
<td>877</td>
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<tr>
<td>2000/2001</td>
<td>852</td>
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<td>2003/2004</td>
<td>916</td>
</tr>
<tr>
<td>2004/2005</td>
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</table>

(2) Accurate waste management records exist only from 1998-99 so seven years of data are presented.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>General waste sent to landfill (tonnes)</th>
<th>Paper recycled (tonnes)</th>
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<td>310</td>
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<tr>
<td>1999/2000</td>
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<td>2004/2005</td>
<td>482</td>
<td>320</td>
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</table>

(3) A waste audit conducted in early 2005 estimated that putrescible waste from suites, while only
contributing a small amount to the total volume of waste, accounted for 13 per cent by weight of
the total waste removed from suites. The putrescible waste coming from the kitchens and food out-
lets was not measured during the audit.

(4) Bulk paper, which includes white paper, books, magazines, newsprint and coloured paper, is sold to
a recycling company that would determine the final product. A number of accredited contractors
dispose of classified waste on behalf of Parliament House occupants.

(5) A co-mingling trial commenced in February 2005 on the Senate side of the building. An audit con-
ducted in March 2005 assessed that 32 per cent of all suitable material was being disposed of in the
comiingling bins and of that amount, 85 per cent was able to be recycled. This represents approxi-
mately 170kg of recyclable plastic and glass per month. The trial is continuing while we examine
ways of improving recovery rates.

(6) Plastic bags have been supplied in Parliament House as part of the cleaning contract since 1998. In
2004, the cleaning contractor agreed to put in place procedures to reduce the number of plastic
bags used in Parliament House. These procedures resulted in a reduction of 12.9 per cent in the
number of the plastic bags used between calendar years 2004 and 2005.

The figures in the following table for calendar years between 1999 and 2003 are estimates supplied
by the cleaning contractor. Monthly use of bags has been monitored and recorded by the Depart-
ment of Parliamentary Services since 2004.
Plastic bags have not been used in the Parliament Shop since 2004. No records have been kept of the numbers used prior to 2004.

(7) Plastic bags supplied under the cleaning contract in Parliament House are not biodegradable.

(8) (a) $77 per tonne in financial year 2005-2006.
(b) The ACT Government has not yet advised the rate that will be charged over the next five to ten years.

(9) (a) Parliament House is charged a fee of $195 to empty a 23 cubic metre compactor of recyclable paper. Parliament House pays $440 per tonne to have classified waste destroyed. Under the present co-mingling trial arrangements, Parliament House pays $10 to dispose of each 240 litre recycling bin of materials.
(b) Parliament House receives a rebate of $40 per tonne for clean white paper and $30 per tonne for loose paper and cardboard. The rebate received per 23 cubic metre compactor varies with the amount and type of paper collected. For example the last four rebates have ranged between $98 and $152 per compactor load. Parliament House receives no dividends for classified waste or co-mingled material.

Parliament House: Energy Usage
(Question No. 1649)

Senator Bob Brown asked the President, upon notice, on 24 March 2006:
With reference to energy use in Parliament House and around the parliamentary grounds:
(1) How much energy has been used each year for the past 10 years.
(2) How much was: (a) gas; and (b) electricity.
(3) How much of the electricity was purchased from renewable energy sources.

The PRESIDENT—The answer to the honourable senator’s question is as follows:

(1) The following table shows how much energy was used each year for the past 10 financial years.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Total energy consumption (kWhrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995/1996</td>
<td>50,065,542</td>
</tr>
<tr>
<td>1996/1997</td>
<td>47,577,696</td>
</tr>
<tr>
<td>1997/1998</td>
<td>46,276,434</td>
</tr>
<tr>
<td>1998/1999</td>
<td>48,191,155</td>
</tr>
<tr>
<td>1999/2000</td>
<td>44,985,495</td>
</tr>
<tr>
<td>2000/2001</td>
<td>43,482,459</td>
</tr>
<tr>
<td>2001/2002</td>
<td>42,270,687</td>
</tr>
<tr>
<td>2002/2003</td>
<td>41,039,433</td>
</tr>
</tbody>
</table>
(2) The following table shows how much of the above energy was (a) gas and (b) electricity.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Gas consumption (kWhrs)</th>
<th>Electricity consumption (kWhrs)</th>
<th>Total energy consumption (kWhrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003/2004</td>
<td>42,112,589</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004/2005</td>
<td>37,091,227</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>443,092,716</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(3) The following table shows how much of the electricity was purchased from renewable energy sources.

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Renewable energy (kWhrs)</th>
<th>Total electricity consumption (kWhrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995-1996</td>
<td>0</td>
<td>29,127,500</td>
</tr>
<tr>
<td>1996-1997</td>
<td>0</td>
<td>29,407,577</td>
</tr>
<tr>
<td>1997-1998</td>
<td>0</td>
<td>28,754,428</td>
</tr>
<tr>
<td>1998-1999</td>
<td>0</td>
<td>29,129,805</td>
</tr>
<tr>
<td>1999-2000</td>
<td>2,250,000</td>
<td>28,356,692</td>
</tr>
<tr>
<td>2000-2001</td>
<td>4,575,000</td>
<td>28,503,767</td>
</tr>
<tr>
<td>2001-2002</td>
<td>2,213,499</td>
<td>27,241,054</td>
</tr>
<tr>
<td>2002-2003</td>
<td>2,853,996</td>
<td>27,064,716</td>
</tr>
<tr>
<td>2003-2004</td>
<td>2,853,996</td>
<td>27,767,628</td>
</tr>
<tr>
<td>2004-2005</td>
<td>2,853,996</td>
<td>25,339,491</td>
</tr>
<tr>
<td>Total</td>
<td>17,600,487</td>
<td>280,692,658</td>
</tr>
</tbody>
</table>

Renewable energy costs DPS a premium of $0.0187 per kWhr.

Medicare: Antenatal Checks  
(Question Nos 1658 and 1659)

Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 27 March 2006:

With reference to the announcement on 9 January 2006 of the new Medicare item to fund antenatal checks by nurses, midwives and registered Aboriginal Health Workers in rural and remote Australia, in which it was indicated that the new Medicare item would be developed in consultation with members of the profession and introduced within the next 6 months:

(1) Is it still intended that this new item will be in place by the end of June 2006.
(2) When will the Government commence consultation with members of the profession.
(3) What professional groups and organisations will be involved in this consultation process.
(4) What will this consultation process involve.

**Senator Santoro**—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) The government intends to introduce this new Medicare item on 1 July 2006.

(2) On 12 January 2006, the Department of Health and Ageing commenced informal consultation with stakeholders.

(3) The following stakeholders are expected to be involved in the consultation process:
- Australian Medical Association
- Medicare Australia
- National Association of Specialist Obstetricians and Gynaecologists
- Royal Australian College of General Practitioners
- Royal Australian and New Zealand College of Obstetricians and Gynaecologists
- Rural Doctors Association of Australia
- Australian Divisions of General Practice
- Australian Indigenous Doctor’s Association
- Australian Nursing Federation
- Australian College of Midwives
- Australian Nursing and Midwifery Council
- Australian Practice Nurses Association
- Royal College of Nursing Australia
- Association for Australian Rural Nurses
- Council of Remote Area Nurses of Australia
- National Aboriginal Community Controlled Health Organisation
- NT Department of Health and Community Services

(4) The consultation process will involve face to face meetings and related correspondence.

**Workforce Productivity Program**

(Question No. 1663)

**Senator Stott Despoja** asked the Minister representing the Minister for Education, Science and Training, upon notice, on 28 March 2006:

(1) (a) Can the Minister clarify the funding arrangements for the Workplace Productivity Programme; and (b) will the funding be derived from the voluntary student unionism transition funds promised by the then Minister, Dr Nelson, in 2005.

(2) When will the transition fund of $80 million over 3 years, promised by the then Minister be made available to universities.

(3) How will this money be allocated.

**Senator Vanstone**—The Minister for Education, Science and Training has provided the following answer to the honourable senator’s question:

(1) (a) The Workplace Productivity Programme has $83.3 million available from 2006 to 2008 to assist Australia’s universities to become more efficient and competitive. (b) No, the Workplace Productivity Programme funding is separate to the $80 million provided for the VSU Transition Fund.
(2) The funding will be available to universities from 1 January 2007.
(3) The method of allocation for the VSU Transition Fund will be determined after a round of consultations with stakeholders, to be conducted during the second quarter of 2006.

Pan Shipping Australia
(Question No. 1673)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 29 March 2006:
With reference to the operations of Pan Shipping Australia:
(1) Has the vessel Boomerang I been re-flagged to the Australian registry; if so, on what date.
(2) On what date did Boomerang I commence coastal trading.
(3) (a) What was the port of origin; and (b) what was the port of destination.
(4) Have any Flag of Convenience vessels trading under a single or continuous voyage permit carried cargo for which the Boomerang I was available and suitable for the task; if so, in each case:
   (a) can the dates and the ports of origin and destination be provided;
   (b) when and how was the department informed of this carriage;
   (c) did the department subsequently issue any directions to the permit holder including a direction to discharge the cargo; if so (i) on what dates were these directions issued, and (ii) how did the permit holder respond;
   (d) did the carriage of the containers constitute a breach of the permit;
   (e) on what date did the permit holder provide a Statement of Cargo Actually Carried;
   (f) what was the nature of the cargo;
   (g) what action has the department initiated against the permit holder; and
   (h) what action has the department taken to prevent a further breach of the coastal trade provisions of the Navigation Act 1912 undermining Pan Shipping Australia’s operations.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
(1) No the vessel has not been registered in Australia; it sails under the Cypriot flag.
(2) It started loading its first cargo in Sydney on 17 March 2006.
(3) (a) Sydney and (b) Fremantle.
(4) The term “flag of convenience” does not refer to an officially recognised category of vessels and it is therefore not possible to determine vessels that operate under a flag of convenience.

Oil for Food Program
(Question No. 1674)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 29 March 2006:
(1) Has the Minister advised a meeting of the National Party in Queensland that there is ‘hardly anything odd’ about AWB Limited’s alleged payment of bribes to the Saddam Hussein regime.
(2) Does the Minister apply the same standard in relation to his department’s dealings with foreign governments; if so, what bribes or other unlawful commissions have been paid by the Department of Transport and Regional Services.
Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
(1) No.
(2) Not applicable.

Christmas Island Mining
(Question No. 1679)

Senator Siewert asked the Minister representing the Minister for Local Government, Territories and Roads, upon notice, on 3 April 2006:
With reference to the requirement for Phosphate Resources Limited (PRL) to rehabilitate its mined areas on Christmas Island:
(1) What are the objectives of, and completion criteria for, this rehabilitation.
(2) How much area has PRL treated for rehabilitation and where are these areas located.
(3) What have been the outcomes of this attempted mine rehabilitation.
(4) How much of the affected area now meets rehabilitation completion criteria.
(5) How much area remains to be rehabilitated by PRL.
(6) What is the estimated cost of completing PRL’s rehabilitation obligations.
(7) Has sufficient financial provision been made for these liabilities.

Senator Ian Campbell—The Minister for Local Government, Territories and Roads has provided the following answer to the honourable senator’s question:
(1) The objective and completion criteria are a stable and safe landform, with a functional native vegetation community.
(2) PRL advises that approximately 60ha has been rehabilitated. The rehabilitated areas are located within the Dog’s Head area, the Central Plateau, North West Point and South Point.
(3) PRL advises that in 2001 and 2003 it was established by their environmental consultants that the rehabilitation on PRL’s leases was making satisfactory progress against agreed objectives. However a site visit by PRL’s environmental consultants in 2005 indicated there were weeds and soil nutrient issues which need to be managed.
(4) None of the areas currently meet rehabilitation completion criteria.
(5) 90ha.
(6) Between $2.1m and $2.7m (based on $23,000 to $30,000 per ha).
(7) Yes, through PRL’s payment of the conservation levy.

Christmas Island Mining
(Question No. 1680)

Senator Siewert asked the Minister representing the Minister for Local Government, Territories and Roads, upon notice, on 3 April 2006:
With reference to Phosphate Resources Limited mining and processing ore on Christmas Island subject to lease conditions which require the periodic production of Noise and Dust Audits:
(1) Have these audits been submitted to the Department of Transport and Regional Services.
(2) Does the audit document complaints and frequent the breaches of Condition G6 on Licence L14-2004, pursuant to the Environmental Protection Act 1986 (WA) (CI) (CKI).
(3) Will the Minister table these audits; if not, why not.
Senator Ian Campbell—The Minister for Local Government, Territories and Roads has provided the following answer to the honourable senator’s question:

(1) Noise and Dust Audits are not requirements under Phosphate Resources Limited’s (PRL) lease. Any noise and dust issues associated with PRL’s activities are subject to the requirements of the Environmental Protection Act 1986 (WA) (CI) (CKI). The Western Australian Department of Environment, through a Service Delivery Agreement with the Department of Transport and Regional Services, are the regulators of this legislation.

(2) Not Applicable.

(3) Not Applicable.

Regional Indigenous Engagement Arrangements
(Question No. 1683)

Senator Chris Evans asked the Minister representing the Minister for Families, Community Services and Indigenous Affairs, upon notice, on 6 April 2006:

In relation to the negotiation of Indigenous regional representation arrangements by the Office of Indigenous Policy Coordination (OIPC):

(1) (a) How many arrangements have been finalised to date; and (b) where are they located.

(2) How many arrangements, and in what regions, are currently being negotiated by OIPC.

(3) What section of OIPC is responsible for negotiating these arrangements.

(4) How much funding was allocated to this task in the 2005-06 financial year.

(5) (a) On average, how many OIPC staff work full-time on negotiating a set of arrangements in one region; and (b) what are their staff classifications.

(6) What resources are provided to Indigenous regional representatives to develop such arrangements, including; (a) travel expenses; (b) sitting fees for meeting with OIPC; (c) office facilities; and (d) expenses associated with arranging community meetings.

(7) Are there any limits on how many Indigenous representatives OIPC is prepared to formally negotiate with in a particular region; if so, what is this limit.

(8) In the 2005-06 financial year, how many Indigenous representatives have received financial support or remuneration for their involvement in negotiations.

(9) Is OIPC prepared to allocate funds to regional representative structures for their ongoing administrative costs; if so, can specific details be provided of what OIPC is prepared to fund.

Senator Kemp—The answer to the honourable senator’s question is as follows:

(1) (a) Two arrangements have been established and are receiving funding support from the Australian Government.

   (b) These arrangements are located at Warburton in Western Australia under a Regional Participation Agreement with the Ngaanyatjarra Council, and Bourke in NSW through a Regional Shared Responsibility Agreement with the Murdi Paaki Regional Assembly.

(2) Apart from the two arrangements that have been finalised, sixteen other reports from Indigenous groups have been received by the Australian Government. They are:

   i. Many Rivers in Northern NSW
   ii. Central Queensland
   iii. Yamatji in Western Australia
   iv. Nulla Wimila Kutja in South Australia

QUESTIONS ON NOTICE
v. Kullari in North Western Australia
vi. Gulf and West Queensland
vii. Cairns and District in Far North Queensland
viii. East Kimberley District Council in Western Australia
ix. Yilli Rreung in the Top End of the Northern Territory
x. Northern Tablelands Aboriginal Community in NSW
xi. Kamilaroi in NSW
xii. South Central Queensland
xiii. Malarabah in Western Australia
xiv. Perth Noongar in Western Australia
xv. Wangka Wilurrara in South Australia
xvi. Papat Warra Yunti in South Australia

(3) OIPC’s State Managers and Indigenous Coordination Centres (ICC) lead the negotiations. They are supported by Canberra-based staff.

(4) $23.1 million was allocated in the Australian Government’s 2005-06 Budget to the Shared Responsibility Agreement Implementation Assistance Program (SRAIAP) which is managed by OIPC. Funding applications for activities that lead to the establishment of engagement arrangements can be made under this program.

(5) (a) The number of staff engaged in the negotiation of Regional Indigenous Engagement Arrangements depends on the status of the negotiations.
   (b) OIPC’s State Managers who lead the negotiations are employed at the Senior Executive Service (SES) level. The ICC Managers who are engaged in direct dialogue with Indigenous people are employed at Executive Level Two (EL 2) and Senior Executive Service (SES) levels. Staff assisting them are employed at Executive Level One (EL1) and Australian Public Service Two to Six (APS2-6) levels.

(6) Australian Government funds are provided to support the costs of arranging community meetings to discuss and negotiate the establishment of the arrangements. This includes assistance with travel costs. Australian Government funds do not cover sitting fees or remuneration for meeting participants.

(7) No limits have been set on the number of Indigenous engagement arrangements that the Australian Government is prepared to negotiate.

(8) No Indigenous representatives received remuneration for their involvement in negotiations. Australian Government funds support administrative costs and travel but not sitting fees or remuneration.

(9) The Australian Government expects that on-going funding for Regional Indigenous Engagement Arrangements should be a shared responsibility among key stakeholders including the Indigenous bodies themselves, the Australian Government, State or Territory Governments, local governments, and the non-government and private sectors. This collaborative approach to long-term funding can be achieved through Regional Partnership Agreements (RPAs).

The Australian Government sees Regional Indigenous Engagement Arrangements as mechanisms for it to engage with Indigenous communities and other stakeholders about agreed priority areas for joint effort. The arrangements are a mechanism for making agreements that will promote the principles of partnership, shared responsibility, and self-reliance which are essential for overcoming Indigenous disadvantage. The Australian Government also retains the right to engage directly with communities or other bodies.