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SITTING DAYS—2008

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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-SECOND PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

Senate Officeholders
President—Senator Hon. Alan Baird Ferguson
Deputy President and Chair of Committees—Senator John Joseph Hogg
Temporary Chairs of Committees—Senators Guy Barnett, Andrew John Julian Bartlett,
Thomas Mark Bishop, Carol Louise Brown, Hedley Grant Pearson Chapman,
Michael George Forshaw, Stephen Patrick Hutchins, Linda Jean Kirk, Philip Ross Lightfoot,
Hon. John Alexander Lindsay (Sandy) Macdonald, Anne McEwen, Gavin Mark Marshall,
Claire Mary Moore, Andrew James Marshall Murray, Hon. Judith Mary Troeth and
John Odin Wentworth Watson
Leader of the Government in the Senate—Senator Hon. Christopher V aughan Evans
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Leader of the Opposition in the Senate—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Hon. Christopher Martin Ellison

Senate Party Leaders and Whips
Leader of the Australian Labor Party—Senator Hon. Christopher V aughan Evans
Deputy Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy
Leader of the Liberal Party of Australia—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz
Leader of the Nationals—Senator Hon. Nigel Gregory Scullion
Deputy Leader of the Nationals—Senator Hon. Ronald Leslie Doyle Boswell
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

Government Whips—Senators Kerry O’Brien, Ruth Stephanie Webber and Dana Wortley
Liberal Party of Australia Whips—Senators Stephen Parry and Judith Adams
The Nationals Whip—Senator Fiona Joy Nash
Australian Democrats Whip—Senator Andrew John Julian Bartlett
Australian Greens Whip—Senator Rachel Siewert
Family First Party Whip—Senator Steve Fielding

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. Santo Santoro, 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.
(6) Chosen by the Parliament of South Australia to fill a casual vacancy vice Jeannie Margaret Ferris, died in office.
(7) Chosen by the Parliament of South Australia to fill a casual vacancy vice Hon. Amanda Eloise Vanstone, resigned.
(8) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Hon. Ian Gordon Campbell, resigned.
(9) Chosen by the Parliament of Tasmania to fill a casual vacancy vice Hon. Paul Henry Calvert, resigned.

PARTY ABBREVIATIONS
AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal 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—D Kenny (Acting)
RUDD MINISTRY

Prime Minister Hon. Kevin Rudd MP
Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion Hon. Julia Gillard MP
Treasurer Hon. Wayne Swan MP
Minister for Immigration and Citizenship and Leader of the Government in the Senate Senator Hon. Chris Evans
Special Minister of State, Cabinet Secretary and Vice President of the Executive Council Senator Hon. John Faulkner
Minister for Trade Hon. Simon Crean MP
Minister for Foreign Affairs Hon. Stephen Smith MP
Minister for Defence Hon. Joel Fitzgibbon MP
Minister for Health and Ageing Hon. Nicola Roxon MP
Minister for Families, Housing, Community Services and Indigenous Affairs Hon. Jenny Macklin MP
Minister for Finance and Deregulation Hon. Lindsay Tanner MP
Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House Hon. Anthony Albanese MP
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate Senator Hon. Stephen Conroy
Minister for Innovation, Industry, Science and Research Senator Hon. Kim Carr
Minister for Climate Change and Water Senator Hon. Penny Wong
Minister for the Environment, Heritage and the Arts Hon. Peter Garrett MP
Attorney-General Hon. Robert McClelland MP
Minister for Human Services and Manager of Government Business in the Senate Senator Hon. Joe Ludwig
Minister for Agriculture, Fisheries and Forestry Hon. Tony Burke MP
Minister for Resources and Energy and
Minister for Tourism Hon. Martin Ferguson MP
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<td>Hon. Tanya Plibersek MP</td>
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<td>Hon. Greg Combet MP</td>
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SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition and
Shadow Minister for Employment, Business and
Workplace Relations
Leader of the Nationals and
Shadow Minister for Infrastructure and Transport and
Local Government
Leader of the Opposition in the Senate and
Shadow Minister for Defence
Deputy Leader of the Opposition in the Senate and
Shadow Minister for Innovation, Industry, Science and
Research
Shadow Treasurer
Shadow Minister for Health and Ageing and
Leader of Opposition Business in the House
Shadow Minister for Foreign Affairs
Shadow Minister for Trade
Shadow Minister for Families, Community Services,
Indigenous Affairs and the Voluntary Sector
Shadow Minister for Agriculture, Fisheries and Forestry
Shadow Minister for Human Services
Shadow Minister for Education, Apprenticeships and
Training
Shadow Minister for Climate Change, Environment and
Urban Water
Shadow Minister for Finance, Competition Policy and
Deregulation
Shadow Minister for Immigration and Citizenship and
Manager of Opposition Business in the Senate
Shadow Minister for Broadband, Communications and
the Digital Economy
Shadow Attorney-General
Shadow Minister for Resources and Energy and
Shadow Minister for Tourism
Shadow Minister for Regional Development and
Shadow Minister for Water Security
Shadow Minister for Justice
Shadow Minister for Border Protection and
Assisting Shadow Minister for Immigration and Citizenship
Shadow Special Minister of State
Shadow Minister for Small Business, the Service Economy
and Tourism
Shadow Minister for Environment, Heritage, the Arts and
Indigenous Affairs
Shadow Assistant Treasurer and
Shadow Minister for Superannuation and Corporate
Governance
Shadow Minister for Ageing

Hon. Brendan Nelson MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Nick Minchin
Senator Hon. Eric Abetz
Hon. Malcolm Turnbull MP
Hon. Joe Hockey MP
Hon. Andrew Robb MP
Hon. Ian MacFarlane MP
Hon. Tony Abbott MP
Senator Hon. Nigel Scullion
Senator Hon. Helen Coonan
Hon. Tony Smith MP
Hon. Greg Hunt MP
Hon. Peter Dutton MP
Senator Hon. Chris Ellison
Hon. Bruce Billson MP
Senator Hon. George Brandis
Senator Hon. David Johnston
Hon. John Cobb MP
Hon. Chris Pyne MP
Senator Hon. Michael Ronaldson
Steven Ciobo MP
Hon. Sharman Stone MP
Michael Keenan MP
Margaret May MP
SHADOW MINISTRY—continued

Shadow Minister for Defence Science and Personnel and
Assisting Shadow Minister for Defence
Shadow Minister for Business Development, Independent Contractors and Consumer Affairs and
Deputy Leader of Opposition Business in the House
Shadow Minister for Veterans’ Affairs
Shadow Minister for Employment Participation and Apprenticeships and Training
Shadow Minister for Housing and
Shadow Minister for the Status of Women
Shadow Minister for Youth and
Shadow Minister for Sport
Shadow Parliamentary Secretary Assisting the Leader of the Opposition and
Shadow Cabinet Secretary
Shadow Parliamentary Secretary Assisting the Leader of the Opposition and
Shadow Parliamentary Secretary for Northern Australia
Shadow Parliamentary Secretary for Health
Shadow Parliamentary Secretary for Education
Shadow Parliamentary Secretary for Defence
Shadow Parliamentary Secretary for Infrastructure, Roads and Transport
Shadow Parliamentary Secretary for Trade
Shadow Parliamentary Secretary for Immigration and Citizenship
Shadow Parliamentary Secretary for Local Government
Shadow Parliamentary Secretary for Tourism
Shadow Parliamentary Secretary for Ageing and the Voluntary Sector
Shadow Parliamentary Secretary for Foreign Affairs
Shadow Parliamentary Secretary for Families and Community Services

Hon. Bob Baldwin MP
Luke Hartsuyker MP
Hon. Bronwyn Bishop MP
Andrew Southcott MP
Hon. Sussan Ley MP
Hon. Pat Farmer MP
Don Randall MP
Senator Hon. Ian Macdonald
Senator Hon. Richard Colbeck
Senator Hon. Brett Mason
Hon. Peter Lindsay MP
Barry Haase MP
John Forrest MP
Louise Markus MP
Sophie Mirabella MP
Jo Gash MP
Mark Coulton MP
Senator Marise Payne
Senator Cory Bernardi
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Tuesday, 11 March 2008

The PRESIDENT (Senator the Hon. Alan Ferguson) took the chair at 12.30 pm and read prayers.

CROSS-BORDER INSOLVENCY BILL 2008
Second Reading

Debate resumed from 13 February, on motion by Senator Ludwig:

That this bill be now read a second time.

Senator MURRAY (Western Australia) (12.31 pm)—It seems fortuitous that we are discussing the Cross-Border Insolvency Bill 2008 at this time, given the current state of the stock market in Australia, the downturn in the American economy, fears of less buoyant times in Australia and the reality that many of the publicly listed businesses which have been hitting the headlines recently conduct their business across a variety of countries. Although Australia, and in particular my home state of Western Australia, is still in a growth phase and many company balance sheets are in good shape, there are companies so highly leveraged with such high debt exposure, not to mention exposure to the United States market, that new insolvencies loom. This legislation is therefore timely, but it is long overdue. Simply put, the problems posed by cross-border insolvencies have long been with us. But more of that later.

The purpose of this bill is to adopt the model law on cross-border insolvency. Eleven years ago, in May 1997, the United Nations Commission on International Trade Law, known as UNCITRAL, adopted a model law on cross-border insolvency. Australia supported this initiative. Eleven years later we have consequent legislation before the parliament. The purpose of the model law is to provide effective and efficient mechanisms for dealing with cases of cross-border insolvency. The model law: sets out the conditions under which persons administering a foreign insolvency proceeding have access to local courts; sets out the conditions for recognition of a foreign insolvency proceeding and for granting relief to the representatives of such a proceeding; permits foreign creditors to participate in local insolvency proceedings; permits courts and insolvency practitioners from different countries to cooperate more effectively; and makes provision for the coordination of insolvency proceedings that are taking place concurrently in different countries. Other countries that have adopted the model law include Colombia, Eritrea, Japan, Mexico, Montenegro, New Zealand, Poland, Romania, Serbia, South Africa, the United Kingdom and the United States of America.

The main Australian laws affected are the Corporations Act and the Bankruptcy Act. An important objective of the bill is to provide access for the person administering a foreign insolvency proceeding, known as the foreign representative, to Australian courts to seek a temporary stay of proceedings against the assets of an insolvent debtor. This stay will allow the foreign representative and the courts to determine any relief or coordination that may assist in the administration of the affairs of the insolvent debtor. This stay will have the same scope and effect as if the stay arose under chapter 5 of the Corporations Act for a corporate debtor or under the Bankruptcy Act 1966 for a debtor that is a natural person.

The Parliamentary Joint Committee on Corporations and Financial Services can adopt inquiries on its own motion. I initiated the committee inquiry into insolvency. This bill implements recommendations 60 to 63 of the 2004 Parliamentary Joint Committee on Corporations and Financial Services report entitled Corporate insolvency laws: a
Like so many recommendations made by committees during the Howard coalition government's time, the reform asked for has been a long time coming and so, even though these recommendations were supported by all members and all political parties on the joint house committee, it is four years later that they are finally seeing the light of day. Not only is it 11 years since we first agreed to the model law but it is four years since the parliamentary committee recommended that we get a move on with this.

I will remind the Senate of the recommendations of the joint committee's report, and in doing so I will also refer to the government's response. By the way, the government's response to the committee's report took over three years—a snail-like response. Recommendation 60 was:

The Committee recommends that Australia adopt the UNCITRAL Model Law on Cross Border Insolvency as proposed in CLERP Paper No 8: Proposals for Reform—Cross-Border Insolvency.

The government response was that it supports this recommendation. Recommendation 61 was:

The Committee recommends that the Government play an active role in multilateral forums and international initiatives to strengthen countries' insolvency systems and develop sound practices and principles for insolvency systems taking into consideration differing national legal systems and economic circumstances.

The government response was: 'The government supports this recommendation.' And it went on to say:

Australia is a participant in, or has participated in, a number of international fora relating to corporate law. The Government is exploring methods for the promotion and adoption of good insolvency practices and laws in appropriate international fora.

We have not heard much about that. Perhaps the minister will be able to expand on that.

Recommendation 62 was:

The Committee recommends that the Government examine the problem of cross border insolvency involving the misappropriation of company funds with a view firstly to preventing such activities (improved reporting on the financial affairs of a company, more effective monitoring and enforcement of requirements to keep records and the more effective use of restraining orders in respect of company assets) and secondly to holding those responsible for missing funds or assets accountable for the losses.

The government answered that they supported the recommendation in principle but that there:

... are many aspects to the question of cross-border insolvency and the Government has examined, and continues to examine, initiatives that seek to address the problem.

Once again, we have not heard much about that since then. Recommendation 63 was:

The Committee recognises that cross-border insolvency and the bankruptcy of those associated with the financial transactions of a failed company are often interlinked. The Committee recommends that any measures taken in either the Corporations Act or the Bankruptcy Act to effect the recovery of debts or to punish the perpetrators of fraud involved in cross-border insolvency take account of how the laws may interact.

The government supported this recommendation in principle and said:

It is important that the Corporations Act insolvency provisions and the Bankruptcy Act contain effective measures to address cross-border insolvency issues.

I am not satisfied that the full meaning of those recommendations has yet been addressed by the government.

The recommendations of the joint parliament committee did not stand alone. The CLERP 8 paper that I referred to earlier preceded the committee report and identified further difficulties for cross-border insolvency, some of which are not being addressed by this legislation. The CLERP 8
paper identified the following additional complexities that may arise in cross-border insolvency: the extent to which an insolvency administrator may obtain access to assets held in a foreign country; the priority of payments; whether local creditors may have access to local assets before funds go to the foreign administrator or whether they are to stand in line with all foreign creditors; recognition of the claims of local creditors in a foreign administration; the recognition and enforcement of local securities over local assets where a foreign administrator is appointed; and the application of transaction avoidance provisions as a further issue.

Once this bill is passed it would be helpful if, in due course, this matter could be revisited so that relevant aspects of the committee’s report, the complexities identified by CLERP 8 and new issues that will undoubtedly arise can be addressed. I would appreciate a commitment from the minister as to whether this process could be undertaken.

The reality of business today is that most large companies, and even many smaller ones, are globalised. They carry on business across borders and jurisdictions, and if they get into solvency problems, either as debtors or creditors, then long legal battles simply slow matters down for creditors. Those creditors might be other large corporations which may often be able to carry the burden, but why should they have to wait unnecessarily long years for the matter to be resolved? Those creditors might include the tax office, which could also carry the burden, but they might also be small business creditors or employees for whom years and years of delay will, or could, send them to the wall. These inefficiencies and costs have a flow-on effect for the whole economy. That is why it is important that this particular bill is passed.

According to the latest figures from ASIC, insolvency appointments have increased from 601 appointments in January 2007 to 641 this year. There may be worse to come, especially for those companies stressed by the short-selling and margin-lending phenomenon, those with exposure to the troubled American market or those subject to the credit squeeze.

The 2004 Joint Parliamentary Committee on Corporations and Financial Services report recalled the terrible fallout from the unscrupulous behaviour of certain individuals. I will quote from that report. It is in the chapter headed ‘Cross-border insolvency’, chapter 13. It has a marvellous subsection entitled ‘Cross-border insolvency and corporate scoundrels’. It reads:

13.14 Over recent decades, there have been reported cases of hundreds of millions of dollars being lost to creditors in Australia through the sustained and systematic misappropriation of company funds involving complex financial dealings often with the collusion of lawyers, accountants and other professional people. Such schemes frequently involve overseas transactions intended to place the recovery of debts beyond the reach of creditors. Attempting to recover assets from such companies or directors once the company has failed is costly, time consuming and often unproductive.

13.15 The financial scandals involving well known entrepreneurs such as Alan Bond and Christopher Skase highlight the difficulty and expense involved in chasing the money trail to locate assets that have been spirited away. This trail leads investigators through a maze of complicated business arrangements more often than not involving a network of corporate structures in different parts of the world that may act as agents and repositories of assets.

13.16 Mr Max Donnelly et al noted that Mr Robert Trimbole was one of the first of the high profile bankrupts and the first to realise Spain was a bankruptcy haven. While Trimbole’s assets in Australia were realised for the benefit of creditors, including a suburban residence which was the subject of competing claims and a rice farm...
located at Griffith, those held overseas proved out of reach.

13.17 Mr Christopher Skase provides one of the best known examples in Australia of corporate skulduggery where complicated overseas financial transactions involving family and the clever structuring of companies were used to prevent recovery procedures. He faced numerous charges in Australia including ‘a set of thirty charges of dishonest conduct, through the provision of false information to independent directors, breach of fiduciary duties owed as a company officer, and improper use of specific provisions under Arts 129, 229(1)(b) and 229(4) of the Companies (Queensland) Code 1982’.

13.18 Using Alan Bond as an example, Professor Ken Polk wrote that in cases of complex fraud:
The criminal investigation can take many months if not years, and involve enormous sums of money. Literally hundreds of thousands of financial transactions will have to be reviewed in the investigations of such crimes, and the money trail may lead literally around the globe. After many years of trying, for example, the Australian policing agencies found that the enormous costs of attempting to trace the money hidden by Bond through accounts in tax-haven countries whose secrecy laws protect all investors (including criminals) was simply not worth the huge expense …

These problems continue into the trial phase as well, since it is not uncommon for complex fraud prosecutions to last for many months.

The problem we face is that the coalition government was far too slow in responding to those matters: the final improvement to insolvency law came through last year. It has been—as I have just outlined—11 years since the model law was first agreed, many years since CLERP 8 and at least four years since the committee reported. It is just not good enough. In this country, our tax office is still having to go through the awful grind of lawyers, accountants and their clients resisting—through every stratagem possible, both domestically and overseas—opening up their affairs to the tax office. And why? Because they are concealing criminal activity. They have the best accountants, lawyers and other professionals—and, of course, dubious Swiss bankers and Liechtenstein bankers—to assist them.

We need strong cross-border insolvency laws in this country. We need strong laws to limit as far as possible the ability of corporate and other crooks, and their amoral advisers, to obstruct the proper payment of tax, and we need to attend to our overseas efforts to coordinate better security with respect to revenue. In conclusion, I congratulate the new government on bringing this new law forward and I hope it makes a real contribution to improving the practice of insolvency in this area.

Senator COONAN (New South Wales) (12.46 pm)—We are addressing the Cross-Border Insolvency Bill 2008. Its purpose is to implement the model law on cross-border insolvency developed by the United Nations Commission on International Trade Law. The Hon. Chris Pearce MP, the former Parliamentary Secretary to the Treasurer, introduced the Cross-Border Insolvency Bill 2007 on 20 September last year; the bill lapsed on the calling of the election. The Cross-Border Insolvency Bill 2008 is identical to the Cross-Border Insolvency Bill 2007. Obviously, in these circumstances, the opposition supports passage of the legislation.

I do not feel that I am called upon to delay the Senate unnecessarily on the detail of the bill, save to say that I think it is very much an uncontroversial bill and very well supported, not only in the parliament but also in the broader business community. Insolvency laws are among the most important—and indeed, they are of critical importance—laws governing market conduct, and we know that they enhance both certainty and integrity in the market and promote economic stability and growth.
There are a number of very complex issues, as we see repeatedly, that arise in the press and elsewhere in the context of cross-border insolvency. An insolvency administrator may have limited access to assets of the company that are located in another country. There may be, for example, special rules providing local creditors with access to local assets before funds go to a foreign administration. There may be limited or no recognition of foreign creditors. There may be inconsistency in the priority of creditors, particularly in relation to the ranking of employee claims across jurisdictions. And there may be difficulties for foreign creditors seeking to enforce their securities over local assets. That gives rise to uncertainty, risk and untimely cost to businesses.

We were of the view, when we were in government, that it would be of overall benefit to businesses in all countries to have adequate mechanisms in place to deal both efficiently and effectively with cross-border insolvencies. Reforms of this nature are simply critical to facilitating international trade in goods and services and to the integration of national financial systems with the international financial system. So, based on the model law, we developed the legislation. We are pleased that the government has seen fit to bring it forward and we will be supporting it.

(Quorum formed)

Senator SHERRY (Tasmania—Minister for Superannuation and Corporate Law) (12.52 pm)—In closing the debate, I would firstly like to thank those senators who spoke on the Cross-Border Insolvency Bill 2008. The bill gives effect to the model law on cross-border insolvency adopted by the United Nations Commission on International Trade Law. The model law provides a streamlined approach to dealing with instances of cross-border insolvency. This streamlined approach will improve the fairness and efficiency of such proceedings, thereby providing better outcomes for creditors, employees and other stakeholders.

Adoption of a model law does not change Australia’s substantive insolvency laws. The model law provides procedural rules that will allow for access to Australian courts for foreign representatives and cooperation between courts in proceedings that have a cross-border element.

Over the last 15 years the international community has devoted much effort to improving the international financial architecture. This is work that is obviously needed in a whole range of areas, given the flow of international capital across borders in the financial sector. Effective cross-border insolvency arrangements have the potential to improve the operation of the global financial system, providing long-term benefits to Australian businesses. In this regard the model law has already been adopted by a number of Australia’s trading partners, including the United States, the UK and Japan.

The bill will assist in maintaining Australia’s reputation as a destination for international capital flows by ensuring that investors have confidence in Australia’s arrangements for dealing with cases of cross-border insolvency. The efficient and effective administration of cross-border insolvency proceedings will provide benefits to all participants. To the extent that such proceedings are conducted in a more efficient manner, there will be more assets available to distribute to creditors and less money wasted on unnecessary litigation and other administrative costs.

Senator Murray did raise the fact that there are other cross-border issues that this bill does not address. That is certainly correct. The government will obviously be continuing work in this area. This legislation has
been a long time in preparation and the is-

sues have been under consideration I think as

far back as the former Attorney-General, Mr

Lavarch, which is more than 12 years ago, to

the best of my recollection, and the previous

Labor government. So the government is

aware that this bill will not address all the

complexities and uncertainties that arise in

this area. However, it is an important step.

As I said, it will bring us into line with other

jurisdictions. We will continue our work on

cross-border insolvency through bodies such

as UNCITRAL—I will not indicate what that

stands for but it is an impressive acronym—

and the Forum for Asian Insolvency Reform.

To conclude, I note that the opposition

shadow minister, Senator Coonan, indicated

that they regarded the legislation as uncon-

troversial. I certainly hope so, because it is in

fact a bill adopted without change from the

previous government. Not one word, not one

letter is changed—every ‘t’ is crossed the

same way; every ‘i’ is dotted—so I would

have been amazed if the now opposition had

opposed or amended legislation which was

certainly drafted and prepared by them and I

think at some point considered in the House

of Representatives. I would have to double-

check on that.

It is an example of bipartisan cooperation

where we believe it is necessary in our Aus-

tralian financial system to deal with issues

such as cross-border insolvency. I thank

senators for their contributions.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages

without amendment or debate.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Debate resumed from 13 February, on mo-
tion by Senator Wortley:

That the following address-in-reply be agreed
to:

To His Excellency the Governor-

General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Aus-

tralia in Parliament assembled, desire to express

our loyalty to our Most Gracious Sovereign and
to thank Your Excellency for the speech which

you have been pleased to address to Parliament.

(Quorum formed)

Senator ALLISON (Victoria—Leader of

the Australian Democrats) (1.00 pm)—I am

pleased to join this address-in-reply debate. I

understand Senator Abetz is otherwise en-
gaged and is unable to make his speech first.
The issue I want to respond to in the Gover-

nor-General’s address is climate change. The

new Rudd government made a good start
dealing with this. It is arguably one of the
greatest threats to the world as we know it.
Mr Rudd engaged in Kyoto to what was the
great relief of citizens and scientists alike in
this country. It was not difficult to ratify
Kyoto and had it not been for Mr Howard’s
determined but illogical position for almost a
decade—in other words he said, ‘We’ll make
our target, but we won’t ratify because that
might harm our economy’—the outward ex-
pression of taking climate change seriously
would not have been Mr Rudd’s to make.
But more than 100 days on, the Rudd gov-
ernment is not looking as if it is in any sort
of a hurry on this issue. Mr Rudd is demon-
strating the same lack of logic: it appears that
what is economically affordable is driving
his response and to hell with setting a target
that might stop the earth reaching tempera-
ture increases of two or three or four degrees.
We certainly need a plan to stop irreversible
climate change and, for sure, finding the most cost-effective way to achieve that is what we should be doing, but we must do it quickly.

The government says that coal must stay part of the mix regardless of the cost of geosequestering its pollution. Economic growth and population growth will doubtless go on being the cornerstone of this new government’s economic aims. Mr Rudd will not begin increasing the renewable energy target until some time in 2010 or 2011, even though there is more than a year’s worth of renewable energy certificates banked up just waiting for it to happen. As I understand it, he will ignore the fact that the science and the development of clever ways of generating renewable energy is heading off overseas where governments are a bit savvier, a bit better organised in getting their systems and their incentives in place to benefit from this work.

There is still no sign of a greenhouse trigger being put in the environment laws, as was proposed by the last government. This means that coal fired power stations and energy intensive desalination plants are being built without any oversight or approval required by the very government that has just made a commitment to the world to contain emissions. The 2020 target that we were all waiting for was on hold until the Garnaut report, but when Professor Garnaut delivered his interim report it apparently frightened the horses and Mr Rudd’s team backed off and said his would be one input into the decision-making process. Treasury, which is not known for its expertise in climate change modelling, is now doing that modelling. After years of ABARE’s dodgy anti-environment modelling, perhaps Treasury cannot be worse.

There is still no sign that we will get minimum energy standards any time soon for appliances, cars, air conditioners, industrial processes or office buildings. Freeways are still being built as if people can go on for the next century wasting fuel to push their car—a tonne or so of metal—to deliver one person typically from point A to point B. And those distances are getting longer and longer as cities like Melbourne now span more than 50 kilometres in width. In fact, Melbourne is far more sprawling than even London with its 7.2 million people. Indeed, London, with twice the population of Melbourne, generates fewer greenhouse emissions—just 8.5 million tonnes compared with 11 million tonnes as reported this morning in the Age. The Victorian government has given in to the goading of the former Howard government and it has decided to release vast new tracks of land for new housing, much of it no doubt two-storey McMansions that will not be designed to cope with summers that are hotter and drier than ever before. Melbourne is growing at an unbelievable 1,500 people a week—more cars on the road, more consumption, more greenhouse emissions. And Premier Brumby’s heart swelled with pride as he announced that Melbourne would surpass Sydney in population some time soon.

This growth is unsustainable, and yet governments around the country still do not get it. Brett Patterson says that the general view is that growth is unambiguously good. He says the ‘growth religion pervades every aspect of today’s society, from the neoclassical economist’s pulpit to the faithful masses. Politicians argue over whose policies will lead to the most growth, like different denominations bickering over whose doctrine is most holy.’

Global warming is much more serious than we thought even 12 or 24 months ago. We now know that nature has its limits. Victoria may have 500 years supply of brown coal left, but the level of carbon dioxide in the atmosphere from burning the last 100
years worth of coal is already way too high. Our natural systems can no longer absorb this carbon. Our soils are losing carbon and natural nutrients because of our intensive farming and energy intensive fertiliser use. Soils that are dry lose their humus and, with it, the greenhouse gases they contain. We have taken far too much water from our river systems. We have over-fished. We have over-logged. We have practically given native timber away. We produce more recyclable waste than we are prepared to recycle. There is not enough fresh water for Melbourne’s current population—at least at the rate at which we waste it in this new climate of one-third less rainfall across Victoria.

Australia was ranked 49th out of 149 countries in the 2008 Environmental Performance Index. We got a mere 42.5 per cent for climate change—behind China, with 52.7 per cent, and India, with 57.9 per cent. Even the United States outdid us, with 56.1 per cent. It is as if we and our governments do not care or just do not want to know how serious the situation is. Fred Pearce, author of *The Last Generation: How Nature Will Take Her Revenge for Man-made Climate Change*, tells us that scientists have known for only a few years that they were wrong about ice sheets at the poles. They used to think it would take 10,000 years for melting at the surface of an ice sheet to penetrate down to the bottom. Now they know it takes about 10 seconds for the melt-water at the top to form lakes that drain down into the crevasses and reach the bottom, lubricating the join between rock and ice, so that the whole ice sheet starts to slide downhill towards the ocean. And that is exactly what has happened to Greenland glaciers and why sea level rise has gone from two millimetres a year in the early 1990s to more than three millimetres a year now.

In the late summer of 2007, an area of Arctic sea ice almost twice the size of Britain disappeared in a single week. The Greenland ice sheet was melting so fast that huge chunks of ice weighing several billion tonnes were breaking off and sliding into the sea, triggering minor earthquakes, according to the Earth Policy Institute in Washington. James Hansen of NASA says that sea level rises will be 10 times faster within a few years as Greenland destabilises. If Greenland melts, sea levels will rise by eight to 10 metres and hundreds of millions of people will be homeless.

The earth’s climate has been relatively stable and benign for 10,000 years, allowing humankind to grow and prosper, to industrialise, to build sophisticated cities and to exploit nature and hundreds of thousands of years’ worth of fossilised carbon. But it was not always the case. Eleven thousand years ago temperatures in the Arctic rose 16 degrees or more in a decade due to tiny wobbles in the Earth’s orbit, changing the heat balance of the planet by only a fraction as much as our emissions of greenhouse gases are doing today. Then, the sea level rose 20 metres in just 400 years, 20 times faster than today. Scientists are now telling us that the world could be returning to a world of climatic turbulence, where tipping points are constantly crossed, and that this has happened in the past when there have been abrupt movements of carbon between atmosphere and natural reservoirs such as rainforests and the oceans.

The British Met Office warns that the Amazon rainforest could die by mid-century, releasing its stored carbon from trees and soils into the air. This could trigger the sudden movement of carbon, which has caused violent climate change in the past. There are trillions of tonnes of methane trapped in permafrost and in sediments beneath the ocean which are likely to be released as ocean waters increase in temperature. This is exactly what happened 55 million years ago
and resulted in the extinction of millions of species on earth. James Hansen says we have just 10 years to avert disaster. He may be out by five or even 10 years, but can we afford to wait and see?

Why are we waiting another four years to start emissions trading? Why are we putting off a trading system for energy efficiency? Why wait to extend a renewable energy trading system that is already in place and ready to go? And how can the government possibly say we will wait 10 or 15 years until we have a cost-effective system of capturing carbon from coal fired power and putting it underground out of harm’s way? This is just as ludicrous and pathetic as the last government’s plan to solve the problem with nuclear power—only that would take even longer to get going. A British minister for energy admitted recently that this technology might never become available.

The response of this government, like the last, to rising oil prices is to announce more tax perks for exploration instead of finding ways to use less oil, like better public transport and more fuel efficient vehicles than the monsters Australia’s auto industry currently makes. At some point we are going to have to stop burning fossil fuels, and the sooner we get used to that the better.

There is no point in turning coal into oil, extracting oil from tar sands or drilling for oil in deep oceans, because the result is the same—more carbon released into the atmosphere and more dangerous climate change. Energy supply must move as quickly as possible to renewables—hydrogen from solar thermal collectors; geothermal and wind for electricity; and fully electric, lighter weight vehicles. Fossil fuels must soon be left in the ground no matter what the demand for them may be. So let’s get ready with new systems and new infrastructure and new incentives to bring on the alternatives, so we won’t be caught short. If we can no longer export coal we should use our scientists to be world leaders in exporting clever alternatives. Give our scientists and developers the subsidies and the perverse incentives of around $10 billion a year that currently flow to coal and oil and see what they can do.

Minister Garrett launched Alice Springs as a solar city on Monday to enormous fanfare, but it is another trial. Please, Mr Garrett, tell us when we are going to stop practising and trialling. Why can’t we have a solar country? We already know how to install PV systems, smart meters and solar hot water systems—and we know how to do energy audits. What we don’t have are feed-in tariffs and other incentives to price carbon back in the ground, where it is safe. Reducing emissions is not rocket science and it is not as expensive as disastrous climate change. My message to Mr Rudd and to his intention in his first term of his office is: just do it. The results of not doing so, further procrastination, will be a disaster.

Senator CROSSIN (Northern Territory) (1.14 pm)—On 24 November last year we had a federal election and this country voted overwhelmingly to place in this parliament a new government, a Labor government under the prime ministership of Kevin Rudd. It was the fourth federal election that I had faced since being preselected as a senator for the Northern Territory but, of course, for me it was the most momentous election. Before I provide my contribution to this address-in-reply, I want to thank once again the people in the Northern Territory for providing their support to me in representing them in this chamber. I must say I take that responsibility extremely seriously. I have other Labor colleagues from other states here, but for people like me and Kate Lundy, who are the sole representatives for our constituencies in the Labor Party and now in government, it is quite a responsibility that I take most seri-
ously, and I respect the choice of the people in the Northern Territory. I think it is also appropriate to place on record my thanks to the people in the Labor Party, to our many hundreds of volunteers and supporters throughout the Northern Territory and also, again, to my family who supported me not only during the election campaign but in the three years leading up to that.

Having said that, and having paid my respects to those people in the Territory who have worked so hard to ensure that we have had a change of government, let me say that we did see an excellent result for Labor in the Northern Territory in such a huge electoral area. If I turn to the AEC report of the overall vote, it actually rose for the Labor Party from the 2004 election when it was then a total of 38,204 voters or 41.4 per cent, to 46,532 voters or 46 per cent. So it went from 41.4 to 46 per cent, nearly a five per cent increase. This reflects the massive swing to Labor right across this country. Of that total in the Territory, we received 22,214 votes in the seat of Solomon and 24,491 votes in the seat of Lingiari.

This increase was due no doubt in part to the nationwide swing to Labor and in part to the many thousands of people in the Northern Territory who took stock, assessed what had been happening not only across the country but to them, to their families, their family budgets, their households, and to the people around them and the way they had been treated by the former government. They made a swing to a party that has looked forwards, not backwards, to a party that has shown energetic enthusiasm for wanting to change and drive the way this country moves in a different and renewed state. People put confidence in us and voted for us accordingly at the ballot boxes.

In the seats of Solomon and Lingiari we had worked particularly hard through the three years, listening to people about what was needed and what was wanted. The Tiger Brennan proposal, which is to extend the road through from Lingiari into the CBD of Palmerston, will be a major roadway and motorway now that connects rural Darwin to Palmerston and the CBD. It will greatly ease the flow of traffic between Darwin and Palmerston. It took the Labor Party to finally put together the costings to complete that project, which is what people were looking for. We will be opening a new super clinic in Palmerston, a most welcome move for the growing population of the area. It will mean, for instance, that Palmerston residents will be able to visit a local medical clinic that will provide comprehensive health care, not just GP services but allied health as well, and it will also go to easing the workload from the accident and emergency departments at Royal Darwin Hospital. In Lingiari there was a massive commitment to roads and infrastructure funding that had been so sadly neglected by the Howard government.

In Lingiari I made a huge effort to visit as many communities as I possibly could. I spent five of the six weeks on the road, making trips to Alice Springs and Central Australian communities, to Tennant Creek, Katherine, Nhulunbuy and Jabiru. What I can say to you, though, is that the support that the Labor Party achieved in the seat of Lingiari shows that, clearly, people were overwhelmingly, convincingly and comprehensively rejecting the policies of the former government in respect of Indigenous affairs. Not only did they not want to endorse in any way whatsoever the actions of the former Prime Minister, they also completely rejected out of hand the policies presented by the former minister for Indigenous affairs.

Let me just back that up by some of the statistics. I go to the community of Wadeye, which you may remember had achieved enormous attention from the former govern-
ment. In that community the Labor Party returned a 92.43 per cent return on its polling booth. In fact, if you drill right down to the voters in that community, 684 Indigenous people voted for the Labor Party compared to just 56 for the coalition. At Gunbalunya we received 617 votes to only 41 to the former government. In Finke, at Aputula we received 314 votes to the former government’s 27. In fact, right across the seat of Lingiari we returned almost a 90 percentile range of support. Finally I want to go to my personal favourite, which is the return of the vote in the community of Yirrkala, where we obtained 260 votes to the Howard government achieving only four.

Senator McLucas interjecting—

Senator CROSSIN—No, I am not kidding, Senator McLucas. We have four people at Yirrkala who decided that they wanted to endorse the actions of former Minister Brough and Prime Minister Howard. The Senate statistics for Lingiari showed a 51.83 per cent endorsement for the Labor Party and only a 35.01 per cent return to the Country Liberal Party. I will turn to just one other, Gapuwiyak, a community in north-east Arnhem Land where we obtained 1,304 votes to only 127 votes for the former government.

So what does that prove to us, as I stand here representing my constituents from the Northern Territory? We had the former government, who failed to listen to Indigenous people, who did not consult with them at all, who never took on board their major concerns and who intervened in such a massive way in their lives. While acknowledging the need to protect children and provide better policing and health services, the Labor Party committed to reviewing the Northern Territory intervention within 12 months in areas such as the taking over of land under the compulsory five-year leases. We committed to retaining the permit system, and we have already put legislation in the House of Representatives to honour that commitment which, of course, most Indigenous communities asked for. That move was strongly supported by the Northern Territory police as a safeguard against unwelcome visitors. We committed to bringing back CDEP, and already Minister Macklin has issued a moratorium on the further dismantling of this program. We acknowledge that some changes are needed to develop more jobs in remote areas, that real jobs will always be limited and that CDEP is the best form of an alternative to provide work.

At the outset, we heard that the intervention was about backing up the Little children are sacred report and about ensuring that children were safe and protected. I personally think I should and will call publicly for us to now clarify exactly what the intervention is achieving and what we want to achieve as we come up to the 12-month review. Up until February, we knew that 6,244 child health checks had been undertaken. In about 92 teams, 250 healthcare professionals have been to 49 communities and to 12 health camps. There has been an analysis undertaken of the first group of 4,900 children. We know that the major problems are dental services, followed by ear, nose and throat and, most likely, skin diseases. But I think a really interesting statistic that people ought to know about is the evidence of abuse that is out there. There have been children who have been referred to the Northern Territory Family and Community Services. It may well have been because they were experiencing poor growth, as we heard about during the most recent estimates proceedings, or because there was difficulty in establishing appropriate care circumstances for that child.

So how many have actually been referred to Family and Community Services for one reason or another? Of the children who have
already been seen, it is 0.7 per cent. So we are talking about 0.7 per cent of 6,244, which is 50. So the dramas and the charades and the attention that was sought by the previous government in relation to child sexual abuse and child neglect, I believe, were severely overstated. I am not denying they are there, but when you have only 50 out of 6,244, we really need to redefine what we are trying to achieve through this intervention and exactly what goals we are trying to achieve. I think that the National Indigenous Times summed it up quite adequately when it stated:

The fact is, Aboriginal people still want the $1.3 billion spent in their communities, plus a lot more to make up the massive gaps—

massive gaps, I might add, that were incurred under the 11 long years of the Howard government—

in health, housing and education that have grown amid decades of appalling government neglect.

But they:

... don’t see why they have to give up their basic human rights in the process ...

And I think that the resounding results at the polling booths in the Northern Territory show that. Aboriginal people clearly rejected the methods of the intervention. Aboriginal people in the Northern Territory want consultation, not confrontation, and they want assistance, not insistence, by government. They want to be consulted and their views sought, and they want to own the way forward in relation to what needs to be achieved in Indigenous communities. If you are ever in any doubt about that, you just need to look at the support the Labor Party got during the federal election, booth by booth, across the Territory. Some of the most significant booths, where former Minister Brough had spent most of his time, overwhelmingly rejected not only him personally but his proposals.

Industrial relations was also a hot topic during the election campaign due to the former government’s radical reforms, which took away workers’ rights and placed them firmly in the power of employers. The sheer lack of power experienced by employees was clearly demonstrated by the National Jet Systems pilots in Darwin, Perth and Cairns during the campaign. In their original agreements, those pilots were entitled to receive an annual CPI increase. Management withheld the increase in order to pressure the pilots into signing up to reduced conditions through an AWA. Last year pilots based in Darwin were told they had to sign reduced condition AWAs or they would be made redundant. There was also the allegation that some pilots were required to sign in order to be entitled to a promotion. New pilots hired since the beginning of 2007 were required to sign an AWA, which we saw included a 20 per cent reduction on the existing pilot salary and a pay increase of only two per cent annually, regardless of CPI movement. They were also obligated to pay, in part, for their training and, if they left the company within three years, they were required to pay for their training in full, which cost about $30,000. These pilots were already some of the lowest paid pilots in the country. It was not just a case of simply moving to another company. There are limited jobs, particularly for pilots, available in the Northern Territory, and the industry requires that these pilots lose seniority when they move to another employer. That means a significant loss of income levels lasting several years.

Even just recently, after the change of government, with a mandate given by the Australian public to change the previous coalition government’s radical industrial relations reforms, came the ordeal experienced by the now famous Triton 11. The UK based company Gardline International sacked Australian workers aboard its Customs vessel, the Triton, whilst they were out at sea, and informed the workers that they would not
have a job once they docked in Darwin. The company had intended to replace them with a non-unionised workforce on lesser pay. The crew fought for their working rights and, with the support of the community and the trade unions, were reinstated with a pay rise. So the industrial relations legislation as it currently stands must be changed. Australian workplace agreements put the balance of power firmly in the hands of the employer, and the fairness test, in all its toothless glory, has done little to restore fairness in the workplace. The Rudd government will restore fairness to the workplace and ensure both the employer and the employee are equal when it comes to their terms and conditions of work.

I want to acknowledge the Your Rights at Work campaign. This was instrumental in helping to bring down the previous government’s unjust industrial relations regime and legislation. The campaign team, along with their volunteers in the Northern Territory, particularly in the seat of Solomon, were active in raising public awareness about the unfairness of the coalition’s IR system, and their incredible efforts in the year leading up to the election did not go unnoticed. I want to personally thank Rebecca Want, who was later joined by Melissa Harrison and Bryan Wilkins. Those three people, along with their army of volunteers—from trade unions to workplace delegates to workers right across the board who were just aggrieved by the thought of the unbalanced nature of the system imposed by the Howard government—worked tirelessly for months on end, seven days a week, with community organisations and trade unions, talking to the public and keeping them informed.

Of course, I dare not mention the Your Rights at Work campaign without mentioning the chicken who played a pivotal role in highlighting the fact to the community in the Northern Territory that the previous member for the seat of Solomon had boasted so proudly that his hands were all over the Howard government’s IR legislation but had failed so dismally to actually stand up and debate it publicly in the lead-up to the election campaign and during the election campaign. You can understand why the Your Rights at Work campaign went to the trouble of ensuring that a chicken appeared at every place it possibly could to reinforce the nature of how, on one hand, people were proud to have introduced this legislation but, on the other, they backed away when it came to actually debating the impact it was having on workers. The campaign’s vocal opposition to Work Choices gave many employees on unfair AWAs the courage to come out and speak about their experiences. On the whole the community response was incredibly positive, and the support was demonstrated with an election day victory.

Finally, I want to pay tribute to a long-standing life member of the Labor Party in the Northern Territory, Alfred Ernest Chitock. Alf passed away on Christmas Day last year and was in his 90s when that happened. He was around to see the election of the Rudd Labor government, and I personally know that he was incredibly proud of that day. I think the fact that I mention him in this speech on the address-in-reply shows justice and compliments his love for and commitment to the Labor Party. He first moved to the Territory in 1949, after the end of the Second World War, and was instrumental in the affairs of Tennant Creek, becoming chairman of the town management board. He became the first mayor of Tennant Creek after the local government was established and was instrumental in setting up the Local Government Association of the Northern Territory.

He was involved in the Returned and Services League, the Red Cross, the Senior Citizens Club, the Lions Club, the Sporties Club
and the Memo Club in Tennant Creek. In fact, if you want to find the epitome of what the heart of the Territory is about, you would look no further than Alf Chittock. I have to say that he was a great icon who will be greatly missed in Tennant Creek. He was a great champion of the Labor Party in Tennant, which I think was incredibly hard to do through his years. But I know that, as a former life member of the party and a great member of the party, he would have been proud of the election of the Rudd Labor government, and so it is this speech that I would like to dedicate to his memory and to his family. (Time expired)

Senator ABETZ (Tasmania) (1.34 pm)—As the spin of Rudd Labor starts to wear thinner and thinner, we are seeing a government without direction and without substance. No matter which area we look at, we see spin over substance. No longer being able to follow the Howard government’s agenda, they are now looking at over 100 committees and inquiries to give them some direction and some substance.

Mr Rudd, in the lead-up to the last election, promised everyone that they were his No. 1 priority. I thank my Senate colleague Simon Birmingham for his contribution to the public debate, in which he pointed out how often Mr Rudd said a certain group or a certain area of public policy was his No. 1 priority. Just listen to this:

... education will be the first priority...
That was on 23 January last year.

Good economic management is my No. 1 priority.
That was on 11 July last year. Then we have:

Labor’s first priority is the defence and security of our nation...
That was on 12 November last year. And so it goes on: ‘Inflationary pressures are our No. 1 priority,’ and, ‘Our first priority is to act on climate change,’ and, ‘Cooperative federalism—that’s No. 1 priority for me.’

The list goes on, but what we had was pure spin without commitment and without substance.

I have been advised that a very good test in determining the sincerity of a speaker on TV is to turn off the volume and observe their facial expressions. I invite the Australian people to do that to Mr Rudd, because one characteristic will prevail over all others, and that is insincerity, pure and simple. Nobody who is genuinely sincere could have gone round the country saying to the defence community, ‘You are our No. 1 priority,’ then saying to the environmental community, ‘Climate change is our No. 1 priority,’ then going to education and saying, ‘You’re our No. 1 priority,’ and then, in relation to the states, saying, ‘Cooperative federalism is the No. 1 priority for me.’ What that shows is a man who got away with spin, and spin he did. But after 100 days that spin is now beginning to wear very thin with the Australian people. Indeed, it is now becoming increasingly obvious that he cannot juggle all these No. 1 priorities that I have listed—and, indeed, time does not permit me to go through all of them.

I now move to Mr Rudd’s so-called razor gang, which is going to cut about $600 million out of federal expenditure. We are told that the reason for this is overexpenditure by the Howard government, the previous government. In a desperate attempt to trash the excellent economic credentials of the former Liberal government, Mr Rudd spins the line that we have to have this razor gang. The reality is that Mr Rudd went to the election promising overseas investors a substantial cut in their taxation obligations. He said to the Australian people that he could do that with a cost-neutral impact. When pushed, he said that it might blow out to $15 million. Thank goodness that Peter Costello introduced the Charter of Budget Honesty, because now, after the election, the Charter of
Budget Honesty has exposed that this little exercise of cutting the taxation obligations of overseas investors will not be cost-neutral and will cost not $15 million but in excess of $400 million. So the first two-thirds of the cuts made by the razor gang are to cover the absolute debacle of his taxation promise to overseas investors.

What we have here is Mr Rudd yet again spinning and not telling us what the substance of these supposedly needed cuts is. The fact is he made a promise to people, either deliberately or in ignorance of what the consequences would be. If he deliberately did so, he ought be condemned. If he did so ignorantly, I would have thought that a man so strong on saying sorry might be able to say sorry to the Australian people for his error and come clean and say: ‘Look, I made a promise to overseas investors. I mucked up by the sum of $400 million. Therefore, I have to cut the services of Australian men and women to make up for that mistake, because I happen to believe that overseas investors are more important than Australian citizens.’ We will not hear that from Mr Rudd. But I tell those listening in, and Mr Rudd, that we will continue to remind Mr Rudd of that debacle and the fact that the first two-thirds of that razor gang proposal to cut $600 million are needed specifically to cover his election mistake.

After all these extravagant statements about there not being enough money, we had enough money for a personal child carer for a personal child carer for the Prime Minister at taxpayers’ expense—until it was exposed, and then he cut it off. We do have over $1 million for that Tree of Knowledge up in Queensland somewhere that the Labor Party venerate. It is a Labor Party icon. Surely the Labor Party should be paying for that. No way: the taxpayer can fund that, while the government is busy trying to cut the carers’ bonus, the pensioners’ bonus, the baby bonus, the superannuation co-contribution scheme—you name it. Mr Rudd is busy cutting them, allegedly because there is not enough money, but we have enough money for a Labor Party icon in Queensland.

Over the 100 days of the Rudd government thus far we have seen broken promise after broken promise. Indeed, Senator Crossin’s contribution just before my own was a complete and utter wind back of that which Mr Rudd promised in relation to the Northern Territory intervention. He went to the Australian people saying, ‘I stand dovetailed with the Prime Minister; I stand all fours with the Prime Minister on the need for this intervention.’ Yet Senator Crossin says that this is why, allegedly, the Indigenous community voted in a particular way. What Mr Rudd and the Labor Party did was to say to one part of Australia, ‘We stand firm with the Howard government on the Northern Territory intervention,’ and then send people like Senator Crossin into the Indigenous communities spreading another message: that Labor would wind back the intervention. There is another good example of the Rudd government spinning one line to mainstream Australia and backbenchers like Senator Crossin spinning another line to a particular interest group. The Australian people now quite rightly ask: which is the true Mr Rudd? Which is the real Mr Rudd? Some of us are not surprised because, during the election campaign, Mr Garrett exposed what Labor’s plan was: say that they agreed with everything that the then government was doing but after the election change things. That is what we are clearly seeing. Mr Garrett should not have had to eat humble pie during the election campaign. Instead, Mr Rudd should now be saying that in fact Mr Garrett told the truth and everybody else within the Labor Party did not.

We have agreed to limit our comments to 10 minutes, so in conclusion I simply say
this: to the 47 per cent of Australians who supported the coalition at the last election, thank you. To those who changed their vote on the strength of Labor’s promises—which were largely to adopt the policies of the Liberal-National Party coalition—I say: we will keep Labor to their promises, especially in this chamber. They are already starting to unravel. As time progresses, we will see even more of that unravelling.

Senator Bob Brown (Tasmania—Leader of the Australian Greens) (1.44 pm)—I begin by congratulating the Rudd government on three measures that have been much appreciated by the Australian people in the wake of the election win last year. The first of those was the ratification of the Kyoto protocol. It was hugely popular. It was remiss of the Howard government not to have ratified the protocol, having signed it back in 1997. It made Australians feel like we are back again as part of the world community in tackling what is arguably the greatest human-made threat to life on this planet in all of history.

The second thing was the apology to the stolen generations of Australia’s Indigenous people. Everywhere I go people are laudatory of the Prime Minister’s speech and the government’s action in making such a simple but profoundly moving and important acknowledgement of a vast wrong done to the first Australians and in delivering an apology on behalf of the Australian people. We Greens moved, as you will remember, for just compensation to the stolen generations. That was not supported by any other party in the Senate. But it is a matter that will now need to be addressed.

Thirdly, and maybe more enduring, was the welcome to country. It was a fantastic start to this parliament. I expect it will start parliaments in this great country of ours a hundred if not 500 years from now, with first Australians welcoming parliamentarians onto what has been and always will be the Aboriginal people’s land. It will redignify our relationship with the first peoples of Australia, from whom we have all gained so much.

That said, there is a long way to go. In recent days the government has indicated that there will be no increase in the pensions for the two million Australians who are living on or below the poverty line but have given this country great service. And there will be no increase in the carer allowance for some 400,000 or more Australians who put so much time and effort into looking after kith and kin and other Australians who are not as fortunate as most of us but require and deserve special care and should be getting much more support from the whole of the Australian population. The only way that that can be equitably distributed is through the collection of taxes and the proper apportionment of money to carers. We Greens will continue to argue, as we did in the election campaign, for an extra $200 a week for those who are caring for fellow Australians, as well as a minimum increase of $30 a week—it should properly be nearer $100 a week—for the pensioners who have served this country so well.

Instead of that, there is a $31 billion tax cut over three years in the offing because former Prime Minister Howard raised this in the election campaign. Prime Minister Rudd took it up because the press gallery here—the doyens of comment in this country—insisted he had to do something in that first week of the election campaign. As subsequent polls have shown, it would have been much more popular to have insisted that that $30-plus billion go into the welfare of this country, into infrastructure and into making this country, which has had a growing gap between rich and poor under the Howard government, a fairer country to live in again. The first tranche of tax cuts, just in this com-
The budget, would be more that enough to give that $30 a week increase to the pensioners of Australia. I think the Prime Minister and the government are making a studied error by not saying this to the Australian people. Polls show that 60 to 80 per cent of people prefer that the tax cuts go into nation building, superannuation or welfare rather than the current formula, which will see a minority of wealthy Australians getting a majority of the largesse.

We will continue to campaign for a fairer Australia by campaigning for these inflationary tax cuts—and we are the only party contributing here that will do this—to be spent on building this country instead of going to an inevitable increase in interest rates, which again is going to hurt poor and average Australians much more than those at the big end of income distribution in this country.

Very soon a decision will be made on the $2 billion Gunns mega pulp mill in Tasmania. The ANZ Bank is the primary focus of the financing, if it is to come through. Indications are that it may well do so, even in a time of economic stringency. The final decision will rest with the Minister for the Environment, Heritage and the Arts, Peter Garrett, consequent upon some very limited findings being delivered from the Chief Scientist of this country in the coming couple of months. Let me reiterate: this pulp mill is an environmental disaster that will destroy a further 200,000 hectares—that is 200,000 football fields—of life-filled forest ecosystems in Tasmania. It is unnecessary and it produces no products that are essential to this country or that cannot be replaced. In fact, the product will be exported. It is totally remiss of our nation to be destroying these forests by deliberation—let alone the honourable minister, Peter Garrett—in 2008.

The Rudd government, however, has already committed to expending tens, if not hundreds, of millions of dollars of taxpayers’ money in subsidising this giant private investment. How bad is that? Prime Minister Rudd was in Tasmania a couple of weeks ago recommitting to over $100 million in transport infrastructure—that is roads and rail—which was required by Gunns to facilitate the logging of these killed and destroyed forests for its pulp mill in the Tamar Valley. To boot, there are some millions of dollars directly going to the job-shedding logging industry. This is a mill that is going to threaten the livelihoods of thousands of Tasmanians who work in the agricultural industries, the fishing industry and the tourism and hospitality industry. It cuts right across the interests of small business in Tasmania. It is the Greens, rather than the two big parties, who are, politically, looking into the future to see that this cuts right across Tasmania’s prosperity for the future.

I think the coalition in opposition ought to revisit this matter and, more urgently, the Rudd government ought to look independently at the economic ramifications of publicly funding this pulp mill. Without this public largesse from state and federal governments, the pulp mill would not go ahead. This is socialising an economically unwise proposal because there are vested interests which have sway—and the logging industry is here in this parliament again today, lobbying—because they have an open door to ministerial offices that is not readily available, because of the exigencies of business and life, to small business, to environmentalists or to other interests which would put forward a much better set of proposals for Tasmania’s future than that of this giant, destructive pulp mill.

What about really addressing climate change? My fellow senator and spokesperson on climate change, Christine Milne, in the run-up to the election brought forward the Greens policy, which was to retrofit Austra-
lia’s seven to eight million households, starting with the poorest households, with solar power, solar energy, solar hot water systems and insulation. That would immediately cut power bills by some hundreds of dollars each year. That in turn allows some of that fall in power bills to go back to government to repay the cost of the infrastructure that is required. So over a 20-year period you have, at ultimately no cost to government, a massive move forward in cutting greenhouse gases because you are obviating the need to burn coal to supply poorly fitted households in Australia. At the same time you would both boost renewable energy technology in this country and add tens of thousands of jobs in Australia both to the domestic industry and to what would ultimately become a highly-boosted export industry using Australian technology.

Dr Mills from Sydney University has, as we know, gone to California to establish one of the world’s biggest solar power stations, which will supply electricity to the equivalent of 32,000 households. That is about not just the supply of power but all the on-costs of energy that go into the different power alternatives. In other words, you obviate the need to burn fossil fuels to that amount. Should we not have done that in Australia? Should we not be doing that in Australia? Is this not the direction for Australia to be taking instead of boosting the coal industry, as the Rudd government seems so keen to do, following in the footsteps of the Howard government?

Education spending in Australia needs to increase by $5 billion per annum just for us to be equivalent to the bottom of the OECD top 10. Most Australians would think that governments in this country were funding education at a world’s best level, but it is far from it. If we are to have the skilling and the economic prosperity and if we are to have the nous to be world leaders in the future, we need world’s best education funding—particularly in the public education system, where 70 per cent of children go. Articles in metropolitan newspapers, including most recently in the last few days in the Sydney Morning Herald, point to the parlous situation of public education, which is being expected to pick up all the difficulties that education is faced with in the country without the funding that the private education system has had.

We say again that, instead of these massive tax cuts to benefit the, in the main, already rich, we should put some of that money into education and the educationalists who are going to skill this country for the future it needs so that it can lead the world—a world which is going to need leadership in this age of climate change; of terrorism; of potential bird flu or other pandemics; of mass migrations of seven billion people, which is about to become 10 billion by mid-century; of increasing potential for food shortages and of huge human problems.

At the end of this we have to take a lead in democracy. You do not export democracy; you advocate it. We need to move to a global democracy—one person, one vote, one value—in this century. Australians in the international arena need to be leading a world which so badly needs to be cohesive, to see itself as a single global community and to be able to chart a future which is secure for coming generations rather than the present future, which is threatened in so many ways. There is a challenge for the Rudd government. The Greens will be putting forward the alternatives where the Rudd government fails and will be challenging the Rudd government where it fails to change much from the last 10 or 12 wasted years in Australian politics, where Australia failed to become the world leader that it should be.
I would like also to recommit the Greens to our campaign to ensure that the work now being done for Indigenous Australia is not only kept up but also done in consultation with first Australians and that it has as a primary goal closing the gap which sees Indigenous Australians dying, on average, 17 years before the rest of us. How can that be? How can we be a just Australia or a fair Australia while such a damning statistic looks us straight in the eye? I wish the Rudd government well. I assure Prime Minister Rudd that the Greens will be adding greatly to the debate in this place to ensure we do get a fairer Australia in the years ahead.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Pensions and Benefits

Senator BERNARDI (2.00 pm)—My question is to the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, Senator Evans. Will the minister guarantee the retention of the lump sum $1,600 carers bonus?

Senator CHRIS EVANS—I thank Senator Bernardi for the question. The Prime Minister indicated on Saturday that there was ‘no way on God’s earth’ he would leave carers and seniors in the lurch. Let me make it very clear that, when it comes to the bonuses system, not only will carers and seniors not be worse off under the budget but we are also working on ensuring certainty of payments to carers and seniors in the long term, moving away from a situation where they are reliant on bonuses that may or may not be funded to a system that provides for ongoing certainty.

While I am not going to announce details of the budget today—and those on the other side will be clear about that—let me make it clear—

Opposition senators interjecting—

Senator CHRIS EVANS—I do not know whether or not you are interested in the answer, but I will give it to you anyway. In terms of the bonus I can say that, when carers and seniors compare their bonus payments this year with what they received last year, they will be no worse off.

Senator BERNARDI—Mr President, I ask a supplementary question. I note the minister refused to guarantee the retention of the lump sum carers bonus, so I ask: is this simply another broken promise from the Rudd government? At what stage was this determined during the election campaign?

Senator CHRIS EVANS—I thank Senator Bernardi for the supplementary question. One of the things I learnt in 11 long years in opposition, Senator Bernardi, is to never read the supp you prepared without listening to the answer to the question, otherwise you might look a little on the slow side. What I said to you very clearly is that, when carers and seniors compare their bonus payments this year with what they received last year, they will be no worse off.

Climate Change

Senator MOORE (2.02 pm)—My question is to the Minister for Climate Change and Water, Senator Wong. Can the minister outline to the Senate what the Kyoto protocol, coming into force today, means for Australia? How is Australia going to meet its obligations under the Kyoto protocol?

Senator WONG—I am pleased to advise the Senate that today Australia officially becomes part of the global solution on climate change. After so many years of neglect under the previous government, this nation is now sending a clear signal to the world that Australia is prepared to take responsibility on climate change. The Senate will recall that the first official act of the Rudd Labor government was to sign Australia’s instrument of ratification of the Kyoto protocol in Decem-
Our ratification, as a nation, of the protocol comes into force today, 90 days after Australia deposited its instrument of ratification with the UNFCCC. Ratifying Kyoto put this nation back on the map, and it sends a signal that we clearly wish to be part of the solution. We send a signal that we are no longer part of the problem when it comes to climate change.

Kyoto does represent new opportunities for Australia. For the first time, we are a full negotiating partner in all key international fora. We have a seat at the table. Ratification of Kyoto will also facilitate new opportunities for Australian businesses to participate in global carbon markets, and the market in one of the key Kyoto tools—the clean development mechanism—was estimated to be over $5 billion in 2006.

The Rudd government is moving quickly to meet its Kyoto protocol obligations. Today the government is submitting Australia’s initial report under the Kyoto protocol to the United Nations. The UNFCCC deadline for this report is, in fact, March 2009. And I will speak more about that later.

I will comment on the report. The report demonstrates how this nation, first, is able to measure the reductions in emissions that are required under Kyoto. Obviously, measurement is a critical aspect of managing our emissions profile, and the report outlines the critical role of the national carbon accounting system in measuring emissions from land use, land use change and forestry. We have taken this a step further by announcing agreements to share this technology and system regionally and globally. The sharing of this technology is all part of this nation’s responsibility to help shape a global solution. This system will be an important element of the PNG-Australia forest carbon partnership, and the government has also announced a partnership with a range of international organisations on this front, including the Clinton Foundation, to take this issue global. This initial report, which I now table, outlines the measures that this government is taking to calculate our emissions levels.

I also indicate that I am tabling the Tracking to the Kyoto target 2007 report. This report, I am pleased to say, shows the latest projections of these emissions levels and indicates that Australia is now on track to meet its Kyoto emissions targets—

Opposition senators interjecting—

The PRESIDENT—Order on my left!

Senator Patterson interjecting—

The PRESIDENT—Not yet, Senator Patterson. Senator Wong has not completed her answer.

Senator WONG—as I said, what the report that I am tabling today indicates is that the latest projection of Australia’s emission levels indicates that we are on track to meet our Kyoto emissions targets. That is what this report shows; this nation is on track, so today is a good day. It is the day on which the ratification of the Kyoto protocol, an election commitment, comes into force. (Time expired)

Senator MOORE—Mr President, I ask a supplementary question. Can the minister further advise the Senate on the Australian government’s efforts to deal with climate change, and are there any alternative views?

Senator WONG—as I said, what the report that I am tabling today indicates is that the latest projection of Australia’s emission levels indicates that we are on track to meet our Kyoto emissions targets. That is what this report shows; this nation is on track, so today is a good day. It is the day on which the ratification of the Kyoto protocol, an election commitment, comes into force. (Time expired)

Senator WONG—I thank Senator Moore for the supplementary question. I want to emphasise that the Tracking to the Kyoto target 2007 report shows that the Rudd government’s policies, including the increase of the renewable energy target, will trigger much greater emissions reductions than possible under the previous government’s policies. What this report demonstrates is that the Rudd government’s policies, including the expansion of the renewable energy target,
will trigger greater emissions reductions than had been forecast in 2006 under the previous government.

In relation to alternative policies, we know that the coalition is attempting to rewrite history on climate change. They are now saying they supported Kyoto all along—but you really only need to listen to the Leader of the Opposition in the Senate, Senator Minchin, to know what they really think on that side of the chamber. On *Late-line* earlier this month Senator Minchin said, ‘I do think that the claims being made in relation to climate change generally are often very exaggerated.’ That is what you really—

*(Time expired)*

**Pensions and Benefits**

**Senator PATTERSON** (2.08 pm)—My question is to the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, Senator Evans, Will the minister guarantee the retention of the $500 pensioner lump sum bonus?

**Senator CHRIS EVANS**—The answer is not yes or no; the answer is very clear, and I will read it again for Senator Patterson. We hope to have the upgraded utility payments operating from 20 March—a large increase in utility payments over those paid by the previous government. We hope to get the legislation through in this fortnight so that they can be paid quarterly, going up to $500 per annum. As I said to you very clearly, Senator Patterson, when carers and seniors compare their bonus payments this year—when they have a look at what they get in bonus payments this year—with what they received last year they will be no worse off.

**Broadband Services**

**Senator WORTLEY** (2.11 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister update the Senate on progress in implementing the government’s election commitment to build a new national broadband network? Will the minister advise the Senate what the government is doing to ensure that all Australians can access basic broadband services regardless of where they live or work?

**Senator CONROY**—I thank Senator Wortley for that question. As all of you in this chamber would know, as part of its commitment to boosting Australia’s productivity the Rudd government has a commitment to provide up to $4.7 billion and regulatory changes to roll out a high-speed fibre broadband network. The Rudd Labor government has been working hard to set out the framework for the open and transparent
competitive assessment process to build the new network.

Today I announced the panel of experts whose job it will be to assess proposals to build the national broadband network. We have secured a fine panel, which will be chaired by the secretary of my department, Ms Patricia Scott. The other members of the panel include Dr Ken Henry, the Treasury Secretary; John Wylie, CEO of Lazard Carnegie Wylie; Tony Mitchell, the Chairman of Allphones; Laureate Professor Rod Tucker from the University of Melbourne; Professor Emeritus of Communications Reg Coutts from the University of Adelaide; and Tony Shaw, a former chairman of the communications authority. The experts on the panel bring a blend of technical, regulatory, business, investment and policy skills to the process. The panel will be supported by my department as well as by specialist advisers. In addition to this, the ACCC will provide ongoing advice on pricing and competition issues, and deliver a written report to the panel.

The first job of the panel will be to receive submissions from industry to assist in the development of the request for proposals for the national broadband network. Submissions are due before 30 March after which the request for proposals will be issued. Proponents will have time to develop their proposals and we expect the panel will then make a recommendation to government in September. The new network will deliver speeds of at least—none of the fraud from those opposite—12 megabits per second to 98 per cent of homes and businesses over fibre technology. The government is committed to uniform wholesale pricing across Australia and will ensure the network operator provides open access to broadband services on transparent, equivalent and genuinely procompetitive terms and conditions.

The government will also be inviting submissions from interested parties on the appropriate policy and regulatory framework for the future. The competitive assessment process will be open and transparent, with opportunities for industry and community input. The government will also ensure that people who may not have access to the new fibre network will have access to the best new fixed-line wireless or satellite technology.

The Rudd government believes that all Australians are entitled to access first-class broadband, no matter where they live or work. This includes the two per cent who will not have direct access to the new fibre network. Today I am pleased to announce that the government has set aside an additional $95 million for the Australian Broadband Guarantee program in 2008-09, in keeping with our election promise—not something that those opposite were prepared to commit to. In addition to this, the government is calling for comments on policy and funding initiatives, to improve access to affordable broadband in remote areas into the future. The Rudd government is committed to ensuring all Australians have improved broadband services. Finally, the Minister for Education is progressing the government’s—

(Time expired)

Superannuation

Senator COONAN (2.15 pm)—My question is to the Minister for Superannuation and Corporate Governance, Senator Sherry. Will the minister guarantee that low- and middle-income families will continue to receive the $1.1 billion doubled superannuation co-contribution?

Senator SHERRY—Firstly, I want to say, in a budget context, that this government is committed to a fiscally conservative and responsible approach. We inherited an inflation legacy from the previous government of un-
underlying inflation running at approximately 3.6 per cent, which is well in excess of the band that the Reserve Bank has set in terms of containing inflation and containing upward pressure on interest rates. Higher inflation, a legacy of the previous Liberal government, leads to upward pressure on interest rates.

Senator Coonan—Mr President, I rise on a point of order. The question was whether or not families would continue to receive the $1.1 billion doubled superannuation co-contribution, not a request for a lecture about inflation—particularly when the Prime Minister has said that the buck stops with him. It is time for Senator Sherry to say yes or no.

The President—Order! Senator Coonan, you are starting to debate the point of order. There is no point of order. The minister has only been speaking for some 40 seconds and he is allowed to expand on his answer.

Senator Sherry—In terms of the new Labor government’s approach to budget, we are going to take a fiscally conservative and responsible approach. We intend to increase the surplus for the next financial year from one per cent of gross domestic product to 1.5 per cent. We intend to be fiscally rigorous and conservative—that is an election commitment that we gave, and we intend to take that approach.

In terms of superannuation issues, superannuation is an important add-on to the age pension; it is part of the second most important component of retirement incomes in this country. There is a three-tiered approach to retirement incomes. Australia is recognised by the World Bank as being a leading-edge country when it comes to its approach to retirement incomes. The first tier is the age pension, which I note the Labor government indexed to MTAWE—male total average weekly earnings. The second tier is compulsory superannuation—the nine per cent superannuation guarantee—which covers employees in this country and which the current Liberal opposition opposed vehemently when they were in opposition 20 years ago. The Liberal Party opposed the compulsory contribution—the nine per cent superannuation guarantee—which is an essential fairness measure to add to the retirement incomes of Australians. So it is a bit rich for Senator Coonan to come in here lecturing us about her hypothetical and imaginative changes that may be in the budget. It is a bit rich for her to give us a lecture when all those years ago her party opposed the most fundamental reform to the expansion of superannuation—the nine per cent superannuation guarantee.

Then we have what is known as the third tier to retirement savings in this country, which is additional voluntary contributions over and above the compulsory nine per cent minimum, which applies to employees. The third tier—the voluntary contributions—come about as a range of incentives that are included in our system. One of those incentives is salary sacrifice: the ability for those employees who are able to do so through their employer to divert some of their income into the form of higher contributions to superannuation. Then there is the co-contribution. The co-contribution currently provides up to $1.50 for one dollar of contribution. It is voluntary. It starts to reduce at an income of approximately $29,000 and phases out by an income of approximately $59,000.

Senator Coonan—Mr President, I ask a supplementary question. The minister obviously cannot say yes or no. During the last election, when exactly was it that Mr Rudd flagged the removal of the $1.1 billion superannuation co-contribution? Isn’t this just another broken Labor promise? Isn’t it a broken promise from an uncaring, mean and out-of-touch government?
Senator SHERRY—Let me highlight the greatest broken promise in Australian history—and it did involve the co-contribution. In 1995 the then Labor government committed to universal co-contribution at a total cost estimated then of approximately $5-6 billion. The then Liberal opposition, of which Senator Coonan was a member, did sign up to that particular promise.

Opposition senators—No, she wasn’t.

Senator SHERRY—She wasn’t? We can excuse her for breaking—

Honourable senators interjecting—

Senator SHERRY—that’s right: she was a member of Labor Lawyers—I had forgotten. In the 1997 budget Mr Costello and the former Liberal government scrapped the universal co-contribution. So, rather than focus on alleged things that may or may not occur in the budget, you should have a little look back through history and look at the largest broken promise in Australian history when it comes to superannuation. (Time expired)

Illicit Drugs

Senator ALLISON (2.22 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. Minister, the Prime Minister said this week he would tackle binge drinking and illicit drugs. Given the expected explosion of heroin production in Afghanistan now reaching Australia, and the consequential increases in overdoses, will you do what the previous government refused to do: will you properly evaluate the effectiveness of our law enforcement approach that has only ever captured 13 per cent of heroin coming into the country? Do you agree with the Washington based Centre for Strategic and International Studies, who say money spent on eradication is money wasted? And do you accept that tighter and harsher penalties just fill our jails with users, not dealers?

Senator CHRIS EVANS—I thank Senator Allison for the question. I can see why she directed it to the Minister representing the Prime Minister, because I think it is a fairly broad question. It went across Afghanistan, foreign law, eradication, health issues and binge drinking. I am not sure I can actually do the question justice, but I think it is fair to say in terms of Afghanistan and the poppy crop that the Prime Minister, Mr Rudd, did highlight the concern about that crop and its role in the Afghanistan war and his serious concern about looking to do something about economic replacement for the crop.

In terms of the binge drinking issues, I am sure Senator Ludwig will have something to say about that later on in question time because it is very much a concern of the government and I think a concern of the broader community, and certainly a concern of parents. I know for those of us with teenagers who have just been exposed to drinking et cetera it is a very difficult issue as to what you should allow, how you manage it and what you say to the kids. I think all parents are grappling with those things, but it is a much broader problem. Yesterday’s announcement is about engaging the community in how we tackle this growing problem. It is not a new one but it is a growing and emerging concern.

In terms of the health policies and dealing with heroin issues, I am happy to take that part of the question on notice and get an answer for Senator Allison from the Minister for Health and Ageing. I do not have any specifics on health policy response to heroin usage. I will take that part on notice and get back to you, Senator.

Senator ALLISON—I have a supplementary question, Mr President. I thank the minister for his answer and I am pleased to see that the government is looking at economic
replacement. Can I also ask, and I repeat my question in this respect, if the government will properly evaluate the effectiveness of the current system of law enforcement, which has been shown to be ineffective in stopping heroin coming to this country. Will the minister take on notice whether he accepts the fact that addiction is very difficult to overcome and change the fact that treatment services in this country are hopelessly under-resourced? Will he take harm minimisation seriously, such as safe injecting rooms? Will the government take steps to work with Afghanistan to encourage them to join legal heroin production systems for conventional pharmaceuticals as well as economic replacement crops?

Senator CHRIS EVANS—I think it is fair to say that Senator Allison’s question was a direct follow-on from the original question and covered exactly the same amount of scope. I cannot do justice to it in a one-minute response. I am not sure I accept that law enforcement has been ineffective. I do not think anyone ever pretends it is the whole answer but I do think it is a question of having a mix of policies. Law enforcement is very important to us in combating the importation of heroin and other illegal drugs. It is perfectly reasonable for us to assess the success of those measures. I think an evidence based approach to these matters is most important, but there is a role for law enforcement, there is a role for education, there is a role for treatment and there is a role for community engagement. All of those things have to be part of any response to the scourge of drugs that we as a community face. If I can get any further information that will assist in answering the senator’s question, I will do so.

Indigenous Communities

Senator BRANDIS (2.27 pm)—My question is directed to the Minister representing the Minister for Foreign Affairs, Senator Faulkner. Is it still the intention of the government that Australia become a signatory to the United Nations Declaration on the Rights of Indigenous People?

Senator FAULKNER—I thank Senator Brandis very much for that particular question. It is of course an issue that is of critical importance to the government and to Indigenous peoples. Can I say that the government does support the principles underlying the Declaration on the Rights of Indigenous Peoples, which covers broad subject matter and is of great importance, as I have said, to Indigenous peoples. This support needs to be seen in the context of Australia’s domestic law and also our international legal obligations.

The government is now consulting across the breadth of the issues that are contained in the declaration. I can say to Senator Brandis and, through you, Mr President, to the Senate, in relation to the issue of the Northern Territory emergency response, which has been raised, as Senator Brandis knows, in relation to the Declaration on the Rights of Indigenous Peoples, that, while the government is still considering the implications of the declaration, including in the context of the emergency response, we do support the importance of consultation and discussion with Indigenous peoples and have significantly increased our engagement.

I will give an example, if I can, to the Senate. The Prime Minister met key Indigenous leaders in Darwin in December last year and has announced his intention to meet with that group regularly. As Senator Brandis would be aware, as a declaration attached to a General Assembly resolution of the United Nations, this is an aspirational declaration. It has of course a political and moral force, but it is my understanding that it has no legal effect.
Senator BRANDIS—Mr President, I ask a supplementary question. Does it follow from the honourable senator’s answer that the government has yet to make a decision that Australia will sign the declaration? Has the government taken legal advice concerning any domestic implications of Australia adopting the declaration?

Senator Faulkner—In relation to Senator Brandis’s supplementary question, I am certainly aware that the Minister for Foreign Affairs indicated last month that the government was positively disposed to the declaration. I am not aware of any further comments that the minister might have made.

Senator Kemp—What does the brief say?

Senator Faulkner—If I can, Senator. In relation to the issue of any advices that have been sought, I will seek advice from the Minister for Foreign Affairs and, if I am able to, I will come back to the Senate and provide any further information on the element of the Senator’s supplementary question.

Alcohol Abuse

Senator Hogg (2.31 pm)—My question is to the Minister representing the Minister for Health and Ageing, Senator Ludwig. Can the minister explain the health impacts of binge drinking and why the government is taking action to combat it?

Senator Ludwig—in terms of binge drinking, this package is a vital step towards improving health outcomes and quality of life, particularly for future generations. Families, communities, police and hospitals have been dealing with this for some time now and the Rudd Labor government has seized the issue and decided to act decisively on this matter. To show the extent of the significant challenge that is before us, some of the statistics are worth providing to the Senate. One in 10 young people aged between 12 and 17 drink at a risky level in any given week. That amounts to about 170,000 people between the ages of 12 and 17. Thirteen per cent of 18- to 20-year-olds drank 13 or more standard drinks each time they visited a club. Of course, the potential flow-on from that impacts not only on the individuals, but also potentially impacts on society. Issues such as car accidents can occur. It can create circumstances where there can be elevated levels of violence in our community, injuries can occur and communities more generally can suffer from troublemakers in this field.

I now turn to the significant impacts upon the health of these individuals. It can amount to alcohol poisoning; it can create a position where people can suffer fits, loss of consciousness. But the more common instances that occur are diarrhoea, nausea and vomiting. Damage to the small bowel, the central nervous system, liver and brain can also occur.

But of course one of the impacts it does have is on our hospital system. There are 72,000 presentations to our hospital system. The immediate consequences of that also cause stress on our hospital systems. To that end, the Rudd Labor government has announced a national binge drinking strategy. The Rudd Labor government has announced the new national strategy to address the binge drinking epidemic among young people. And going to the particular issues themselves, there is a $14.4 million investment in community level initiatives to confront the culture of binge drinking, particularly in sporting organisations.

The area that does need strengthening is in community partnerships. The Rudd government will strengthen the partnerships in the community to deal with this issue more broadly. It is not just simply saying we are going to provide assistance; it is also putting that assistance into the right places. It is designed to support projects such as sporting
clubs and non-government organisations working together to educate and inform club members about the harms associated with binge drinking. It can also be stretched to ensure that there is $19.1 million to support innovative and early intervention and diversion programs—an important area to ensure that young people under the age of 18 can also participate in diversion programs. To ensure that the message gets out and to try to change people’s attitudes to this, there is $20 million over two years in an advertising campaign. Of course it does not only take the federal government’s initiative. We need to be able to work with states and territories on other issues—{(Time expired)}

Consultancies

Senator RONALDSON (2.36 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. Minister, given the Prime Minister’s assertion that he will crack down on MP consultancies and work outside of parliament, does the minister think it is appropriate for a member of parliament to appear in advertisements promoting their own business?

Senator CHRIS EVANS—What we have seen in recent days is a debate about the appropriate line between parliamentarians performing their official functions and their engagement in other functions unrelated to their role as parliamentarians. It is a debate that has seen the public very strongly of the view that we ought to see parliamentarians working full time on their responsibilities and that they keep a very clear demarcation between business or other activity and their role as parliamentarians. I know Mr Vaile was the subject of much publicity surrounding his activities. So it is important, and that is why the Labor Party is very much committed to accountability measures. Senator Faulkner is working very hard on a whole range of initiatives concerning lobbyists, ministerial accountability, freedom of information—a whole range of measures that seek to provide greater transparency and greater accountability.

We have had, as you know, declarations of interest by senators and members for some time now. That has been a very useful development. A few of our senators, particularly on the other side, have fallen foul of that over the years. I think now there is a much greater understanding by senators of their obligations in terms of declarations of interest. These are issues that are very much at the forefront of public debate. It is appropriate that politicians act appropriately and that we are clear that there is a declaration—

The PRESIDENT—Senator Ronaldson on a point of order?

Senator Ronaldson—On relevance, Mr President, can I just remind the minister of the question: does the minister think it appropriate for a member of parliament to appear in an advertisement promoting their own business?

Senator Abetz—Very simple—yes or no!

The PRESIDENT—Order, Senator Abetz! I do not need that advice. The minister is generally answering the context of your question, Senator Ronaldson, and I think he should be allowed to continue. But I would remind the minister of the question.

Senator CHRIS EVANS—Thank you, Mr President. As I was saying, I think these questions of accountability in public life are very important. As I say, Senator Faulkner is committed to implementing the Rudd government’s commitment to that. In terms of any hypothetical case that Senator Ronaldson wishes to raise—

Opposition senators interjecting—

Senator CHRIS EVANS—I am not aware of what he is referring to, so I cannot comment on that. But I think it is important
that everyone in the parliament focus on the importance of accountability and also focus on their responsibilities as elected members of parliament and that they choose to be very careful if they are to not apply themselves full time to their duties as parliamentarians. My personal view is that we ought to be very careful about potential conflicts of interest.

Senator RONALDSON—Mr President, I ask a supplementary question. ‘Hypotheticals’ they are not, Minister. Can you guarantee to the Senate that Mr Trevor, the member for Flynn, has not used Australian government resources to continue conducting his Chris Trevor and Associates conveyancing business? I seek leave to table an advertisement from the Gladstone Observer ‘Property Week’ of Saturday, 23 February, 2008.

The PRESIDENT—Is leave granted? There being no objection, leave is granted.

Senator Chris Evans—No, it is not granted. They have not seen to the courtesies.

The PRESIDENT—Sorry, leave is not granted.

Opposition senators interjecting—

The PRESIDENT—Order!

Opposition senators interjecting—

The PRESIDENT—Order on my left! I did ask whether leave was granted, Senator Evans, and nobody said no until you did just then. Leave is not granted, Senator Ronaldson.

Senator Ronaldson—I rise in a point of order, Mr President.

The PRESIDENT—I would ask you to put the paper down. Put the paper down!

Senator Ronaldson—I heard the minister say very clearly that they would accept the tabling of this advertisement. The answer is no now, is it?

Senator Chris Evans—On the point of order, Mr President, what I indicated to you was that the Labor government would have accepted the tabling if the normal courtesies had been shown. If the senator shows it to the Government Whip and if it is what he claims it to be and it is in order, we will allow him permission to table it. He is well aware of the courtesies involved in these matters. I always try and facilitate senators tabling if possible. As long as the normal courtesies are applied, then that matter should be easily resolved.

Opposition senators interjecting—

The PRESIDENT—Order! Leave was not granted, but you have heard the offer from the Leader of the Government in the Senate. Senator Evans, do you wish to answer the supplementary question?

Senator CHRIS EVANS—Look, there is nothing really I can add. I am not aware of the charge. I am not sure there will be any substance to the claims made by the senator. His allegation that there is an ad and somehow that follows that government resources have been used I think is a pretty long bow. But, as I say, there are other ways for the senator to raise these issues if he wants to bring it forward in the parliament.

Middle East

Senator NETTLE (2.43 pm)—My question is to Senator Faulkner as the Minister representing the Minister for Foreign Affairs. Can you explain how the approach of this government to ensuring that there is a just peace in Palestine and in Israel differs from the approach of the previous government?

Senator FAULKNER—As I understand it, the senator asked me how the current government’s approach to Palestine differs from that of the previous government. Can I say in relation to this particular issue—
Senator Kemp—Just take a moment to find the brief.

Senator Faulkner—I can’t, so I won’t worry about that. What I will say is that Australia is a strong supporter of the Middle East peace process. I can say to the Senate that Australia is deeply concerned at the recent violence in Gaza and southern Israel as well as the appalling situation where eight students were killed in Jerusalem. I can also say that it is the view of the government that this only undermines the peace process.

It is the government’s view that Israel, like every other state, has a right to self-defence, and in our view the rocket attacks on Israel were terrorist attacks which only serve to perpetuate violence and suffering in Israel. We obviously have a view that they should cease immediately. I cannot speak for the previous government but I would be surprised if any senator or member from the previous government would have any difference in view from the one I have just expressed to the chamber. But I can also say that the government is obviously concerned about the humanitarian situation in Gaza that has resulted from the escalating tensions and by the suffering this has caused the people of Gaza. Every effort should be made to avoid the suffering of innocent civilians. The current government has taken the approach to urge all parties to rededicate their commitment to the peace negotiations that were launched, I think, at Annapolis, which remain the best hope for a just and lasting solution to the conflict. We continue to urge both parties to make rapid progress in implementing the roadmap. We encourage both parties to prevent day-to-day developments from undermining their shared objective of an Israeli-Palestinian agreement by the end of 2008.

Senator Nettle asked me to comment on the previous government’s policies. I have put as forthrightly as I can the approach of the current government, and I am sure most of these views are shared all around the chamber. I cannot comment on the previous government’s policies in this area—and I do not want to—but I want to make those points as clearly as I can to Senator Nettle and the Senate.

Senator Nettle—Mr President, I ask a supplementary question. I wonder whether the minister could outline what representations the Australian government has made to the Israeli government in relation to the humanitarian situation in Gaza. What is the Australian government’s view of the recent announcements to expand the construction of settlements in the West Bank?

Senator Faulkner—I can say in response to Senator Nettle’s supplementary question that I do believe that Australia is playing its part in the peace process. We have doubled our aid to the Palestinian territories to A$45 million in 2008. Our aid will be dispersed through the United Nations Relief and Works Agency for Palestinian Refugees in the Near East and also through NGOs, as I understand it, and a multidonor trust fund that is being managed by the World Bank. It will go to helping with the improvement of essential services such as basic health care, food and security and also to promote democracy and good governance. (Time expired)

Consultancies

Senator Ronaldson (2.49 pm)—My question is again addressed to Senator Evans, representing the Prime Minister. Minister, having had the opportunity to see the Observer ‘Property Week’ of Saturday, 23 February, and having taken the opportunity to discuss specifically in the chamber today the member for Lyne in the other place, will the minister now advise the Senate whether he thinks it is appropriate for a member of par-
liament to appear in advertisements advertising their own business—and for the sake of the discussion I will roll the supplementary question into that—and can you guarantee the Senate that Mr Trevor, the member for Flynn, has not used Australian government resources to continue conducting his Chris Trevor and Associates conveyancing business?

Senator CHRIS EVANS—I thank the senator for his question, but I think it is a repeat of the earlier question. I indicate that I am happy for him to table the document at the end of question time, now that I have seen it, but I am not able to help him with any detail in terms of his allegations about Mr Trevor other than to say that the document that he seeks to table, which I will give permission to table at the end of question time, does not indicate any use of government resources at all. It looks like a private matter. But if there is anything else I can help the senator with I will have a look at that.

I think the important thing is that I mentioned Mr Vaile in order to indicate that the public do expect better than we have been getting out of some members of parliament and I think we do have to be very clear about the demarcation line between private interest and our role as parliamentarians. I think Mr Rudd made the point himself that there needs to be accountability for members’ time and activities and that ought to be separate from any private consultancies or other activities that they wish to conduct. As I say, I cannot comment on the particular allegations made by the senator; I have no knowledge of the matters. But certainly there is nothing in the document that he gave me that suggested that any government funds had been used. If there is anything further I wish to add to the answer, I will do so.

Senator RONALDSON—Mr President, I ask a supplementary question. I rather hoped that I would not have to ask a supplementary question to get a response from this minister in relation to two very simple questions. Again I will ask the minister: can you give an ironclad guarantee that there were no Australian government resources used by this member of parliament advertising his own business? Can you give that guarantee, having seen quite clearly the advertisement in that paper?

Senator CHRIS EVANS—Mr President, it does not matter how many times the senator asks the question. I can only give the answer that I am capable of giving, which is that I have no knowledge of the issues he raises or the allegations he makes, and that I noted on reading the advertisement that he showed to me that there was no suggestion that any government funds had been used. Clearly, it is a question that, if he is that interested, he ought to take up with Mr Trevor.

Pacific Island Nations

Senator MARK BISHOP (2.52 pm)—My question is to the Minister representing the Minister for Foreign Affairs, Senator Faulkner. Can the minister inform the Senate of recent developments in respect of Australia’s relations with Pacific island nations?

Senator FAULKNER—I can inform the Senate that the Prime Minister visited Papua New Guinea on Thursday, the 6th, and Friday, 7 March, where he met Prime Minister Somare and other senior PNG figures. Discussions were wide-ranging, covering not only relations with PNG but also regional development and the future of the Pacific. Mr Somare endorsed the Port Moresby Declaration, issued on 7 March. This begins a new era of cooperation in relations between Australia and Pacific island nations.

The Port Moresby Declaration proposes the establishment of Pacific Partnerships for
Development between Australia and the Pacific island nations. These partnerships would be about mutual respect, mutual responsibility and mutual cooperation. The partnerships are designed in part to help the Pacific island nations make real progress towards the Millennium Development Goals agreed in 2000. There are eight Millennium Development Goals, which range from halving extreme poverty to halting the spread of HIV-AIDS and providing universal primary education.

The partnerships will also provide a framework for Australia to offer more development assistance to Pacific island nations in line with the government’s commitment to increase our development assistance budget to 0.5 per cent of gross national income by 2015. To do this, they will embrace commitments by the Pacific island nations to improve governance and achieve better outcomes on health and education.

Australia wants to see real progress against poverty, in education, in health and in infrastructure, and to spur employment and economic growth. More broadly, Australia also wants to address the question of climate change, and has therefore signed, with the Prime Minister of Papua New Guinea, a forest carbon partnership. This establishes a framework for Australia and PNG to look at international and bilateral cooperation on forests, climate change and carbon markets.

Last week, on 9 March, the Prime Minister also visited the Solomon Islands. He met there with the Prime Minister, Dr Sikua, and other ministers in Dr Sikua’s new government. The future of the Regional Assistance Mission to the Solomon Islands was discussed, and it was agreed that it continued to make a substantial contribution to stability in the Solomon Islands. Australia is committed to our partnership with the Solomon Islands through RAMSI.

**Education**

Senator MASON (2.56 pm)—My question is to Senator Carr, the Minister for Innovation, Industry, Science and Research, representing the Minister for Education. Will the minister guarantee that the Rudd government will not axe successful education programs such as the summer school for teachers, the Teaching Australia initiative, grants for schools that achieve improvement in literacy and numeracy, and values education programs?

Senator CARR—I thank the senator for his question. The senator has raised a number of matters which were the subject of a report in the *Australian* newspaper. These are matters that are being considered in a budget context and, as such, it is not appropriate for me to comment further on them. What I can say to the senator is that the Rudd government has already announced funding for this budget for the $1 billion National Secondary School Computer Fund, giving access to a computer to every student in years 9 to 12. The Rudd government has also committed to delivering trade training centres in secondary schools, providing $500 million to the end of December and $2.5 billion over 10 years. The schools partnership program of $62.5 million is to encourage local schools to share facilities and resources. The budget will also provide $489 million for schools to install solar power.

Those are all matters that have been announced. I am able to confirm those matters because they have been announced. I am not able to confirm other speculation that has been raised through the pages of the *Australian* newspaper. The forthcoming budget will be an opportunity for the Rudd Labor government to install its ongoing program in terms of the education revolution. It will be an opportunity to actually see substantial improvements in the provision of education.
across this country for all Australians. I have no doubt that the senator who has asked this question will be only too happy to support these measures in the forthcoming budget session.

Senator MASON—Mr President, I ask a supplementary question. In light of the minister’s refusal to guarantee the survival of these critical education programs, can the minister guarantee that no school and no student will be worse off?

Senator CARR—I can say to the senator that in any budget context there are issues that are considered. What we do have, however, is the incapacity to actually confirm the speculation that is being presented in the Australian newspaper. What I am able to say is that a series of initiatives have been announced by the government which will strengthen our education system, will strengthen the provision of schooling in Australia, will strengthen equality of opportunity in this country and will allow for a much higher level of participation in Australian society and the Australian economy as a direct result of this government’s education revolution. It is a tragedy that the previous government failed to respond to its obligations in this regard—(Time expired)

Senator Chris Evans—Mr President, as much as I hate to interrupt Senator Carr, I ask that further questions be placed on the Notice Paper.

ANSWERS TO QUESTIONS

The PRESIDENT (3.00 pm)—On 14 February 2008, Senator Ian Macdonald asked whether the President had any power to require ministers who are correcting answers to table the corrections so that interested senators could read them immediately. At the time I said that it was the responsibility of ministers to answer the questions and to correct those answers if necessary.

The practice has always been for supplementary information provided by ministers to be incorporated in Hansard and, of course, oral corrections by ministers to their answers appear in Hansard. This makes them much more readily available than if they were simply tabled. If they are available in writing at the time of delivery, senators can ask the attendants for an immediate copy. While supplementary answers are often in writing, oral corrections to answers are often not available in writing so senators present in the chamber can only listen to them and check them in the Hansard later.

May I suggest to ministers that, when making corrections, they provide those corrections to answers in writing wherever possible. In this way, interested senators who are unable to be in the chamber when the corrections are given may nonetheless gain quick access to a copy of the corrections.

Senator IAN MACDONALD (Queensland) (3.02 pm)—by leave—I move:

That the Senate take note of the statement.

I also, very briefly, want to urge the relevant minister, Senator Wong, to do what her more senior colleagues do and extend the courtesy to members of the opposition, if she is going to make a correction to an answer which she completely confused, of just letting the person who asked the question know so they can listen to it. In this particular instance I rang her office twice, having been told that she had corrected an answer, to try to find out what it was. I received no assistance. Other new ministers have taken the exact opposite approach and made a point of ringing me and writing to me when answers needed to be corrected, and I would just urge Senator Wong to do that in the future.

Question agreed to.
QUESTIONS WITHOUT NOTICE:
ADDITIONAL ANSWERS

Indigenous Communities

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (3.03 pm)—I want to add to my answer to the question which Senator Brandis asked me. The office of the Minister for Foreign Affairs has provided me in fact with a transcript of an interview that the minister gave on the Meet the Press program. He was asked whether there was some possibility that Australia would reverse its stand on the UN Declaration on the Rights of Indigenous Peoples. It may assist Senator Brandis to know that the minister said in answer to that question:

STEPHEN SMITH: Absolutely. And we’re currently giving consideration to that. We’re currently going through consultations. Jenny Macklin is leading that.

He went on to say about the UN declaration:

STEPHEN SMITH: It’s associated with a resolution of the General Assembly, so it’s not a formal treaty as such. But we’re required to go through consultation with stakeholders, the States and the Territories. We’re in the process of doing that. But once we come to—and we’re, of course, positively disposed to the declaration. But once we’ve finalised those consultations, and we come to a conclusion, we simply let our view be known.

I hope that might assist Senator Brandis in relation to the question he asked.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Consultancies

Senator RONALDSON (Victoria) (3.05 pm)—I move:

That the Senate take note of the answers given by the Minister for Immigration and Citizenship (Senator Evans) to questions without notice asked by Senator Ronaldson today relating to the code of conduct of members of Parliament.

When Senator Evans was answering my question this afternoon he unfortunately finished off with a comment which I think he will live to regret—that was, that I should go and make inquiries of the member for Flynn in relation to this matter. What an extraordinary statement to make at the end of an answer. What it very clearly indicates is that Minister Evans is treating this matter with contempt. What he should have done today was to say, ‘I will go out, and come back to the Senate at the earliest possible moment, and make sure that there were no Australian government resources, Australian taxpayer resources, used to fund this ad.’

Senator Evans can say, ‘I’m not too sure,’ and ‘I’ll have another look at it,’ but it is very clearly an advertisement by a sitting member of parliament for his conveyancing company. I will not hold it up again, having been quite rightly admonished by the President. I seek leave to table this advertisement.

Leave granted.

Senator RONALDSON—This is an advertisement that clearly indicates that this member of parliament is actively involved in his business. That is to a certain extent to one side. It is the utter hypocrisy of the Australian Labor Party in relation to these matters that led to the questions today—their complete and utter hypocrisy. It is all right to go out and openly attack the member for Lyne, but it is not all right when they are pursued about the matter to try to get them to acknowledge that they are doing some work, as the Prime Minister did when he first got in. These questions did not reflect on those matters; these questions clearly asked the government about whether it is appropriate for a member of parliament to advertise his business in the paper. The second question was: were any Australian government resources used to fund these advertisements? When you go out and spend all week and all week-
end on all the news services talking about people such as the member for Lyne from the other place, you have to be prepared to accept that if your hypocrisy is as gross as this you will be caught out and it will come back to bite you—as it has in this particular case.

All this coalition opposition wants is the openness and transparency that this Prime Minister has talked about since he was first elected. Where, for example, is the lobbyist register, which we were promised two months ago as an example of openness and transparency? Where is the ministerial staff code of conduct that we have been promised for a month and a half? It is not there. Where is this Prime Minister when it comes to electoral donation and campaign reform? Has he agreed to the opposition’s view that we should get the Joint Standing Committee on Electoral Matters to have a thorough look at this? No, he has not. Every time something else comes out about the Wollongong City Council and sex and donation scandals and his friend ‘President’ Iemma in New South Wales he goes along to another press conference and plucks something else out of the air to talk about to keep the press happy for another day and a half. Let us have some openness and transparency from the government.

Senator Coonan—And accountability.

Senator RONALDSON—And some accountability. Why doesn’t someone stand up in this place today and say, ‘We are going to make sure that there is fair dinkum electoral donation and campaigning reform and we are going to support the coalition’s reference to the Joint Standing Committee on Electoral Matters’?

Let us have no more of your gross hypocrisy. If you want to play games, you are going to be caught out playing games. You have been caught out with the member for Flynn advertising in the paper. You prevaricated about it and called it a hypothetical. This is no hypothetical; this is absolutely real. Let us have some real answers to a real question about a real situation. Let us also have some acceptance of responsibility from those opposite so that, rather than talk about it, you actually do something about it. You have had three months to do something in relation to openness and transparency, and you have done nothing. (Time expired)

Senator STERLE (Western Australia) (3.11 pm)—I look forward to taking note of answers to questions today. I find it absurd that the coalition opposition, led by Senator Ronaldson, dare lecture us on transparency, decency and hypocrisy. How dare they. If you want to talk about hypocrisy, Senator Ronaldson and all you senators opposite, we will talk about hypocrisy. The member for Flynn, Mr Trevor, a very well respected member of his community, has had a long-standing ad in the local newspaper supporting his business. What evidence is there that there is anything illegal or improper about that? You come into this chamber and throw accusations around like grenades and dare to bring down the good name of Mr Trevor.

Let us talk about hypocrisy, shall we? Let us talk about people who are on the taxpayers’ drip while they are supposed to be representing their electorates. That brings to mind the member for Lyne, Mr Vaile. Let us talk about hypocrisy and Mr Vaile, shall we? He is on the government payroll and yet was financed by a company to go to the Middle East. He got paid for that as well as drawing a wage from the Australian taxpayers. And you come in here and lecture us about hypocrisy. How dare those opposite. No-one has explained Mr Vaile carrying on in the Middle East and getting two incomes. I am sure that after Work Choices there would be numerous Australians who would kill for two incomes. How dare those opposite stand there and keep straight faces when they look
at us and throw those accusations at Mr Trevor.

While we are at it, I will bring up another person: the longstanding member for Mayo. He called himself the longest serving foreign minister. He just decided that he is not going to turn up for question time. Talk about arrogance and ignorance. After all those years in government, you cannot handle the fact that the people of Australia have uncovered you and found out what you stand for. And you attack a new member, a new member who has a longstanding commitment to his electorate. And I am still waiting for the substance. If Senator Ronaldson is going to come into this chamber and make wild accusations and wave bits of paper around, he should do his homework. For the tactics team over there, it is all very fancy to have these wonderful accusations with no substance, but back them up. After the carry-on of some of your former ministers, you should be ashamed.

Those senators opposite should hang their heads in shame. They want to talk about decency, openness, fairness and transparency. What an absolute joke that is. As I said, I am still waiting for an explanation, as I am sure most of Australia is, as to how Mr Vaile dared to get two pay cheques. What was he doing over there? Was he bettering Australia’s future or was he looking after his own interests while still attracting a backbencher’s salary? With the greatest of respect, I do not subscribe to the argument that Mr Vaile, like Mr Abbott, runs: the pathetic excuse to the Australian people that he cannot afford to live on a backbencher’s pay. I am quite proud to say that we are well remunerated. I am sure there are 20 million Australian workers who would absolutely love a backbencher’s pay rate. But Mr Vaile has probably been talking to Mr Abbott, because he is probably finding it so hard to go from his ministerial pay packet to a backbencher’s pay packet. How condescending and how sickening is that. Get out there and tell the Australian public that you think that that is a good argument. You should be absolutely ashamed. I am ashamed to sit in the same chamber as some of you; to me you are a disgrace. In fact, Senator Abetz, you kept very quiet about it because you could not justify Mr Vaile’s and Mr Downer’s disgraceful behaviour and arrogance towards Australian taxpayers.

**Senator Patterson**—Mr Deputy President, on a point of order: I give credit for a very healthy debate but I think Senator Sterle should direct his comments through you and not directly to Senator Abetz.

**The DEPUTY PRESIDENT**—Yes, that should be done. Also, people should not call personally across the chamber. That might assist the conduct of business in the chamber as well. Senator Sterle, you have 47 seconds left, if you wish.

**Senator STERLE**—I would be very interested to hear other senators opposite get up and defend the disgraceful misdemeanours of the member for Lyne and the member for Mayo, because they could not put their hands on their hearts and look Australian workers in the eye and say: ‘We have a right to get two pay cheques. We have a right to go out to lunch because we do not think we have to be in the chamber.’ What they should be doing is apologising to Mr Trevor for the disgrace of dragging his name out with absolutely no proof and no substance to the wild allegations. I am sure Mr Trevor will speak for himself, but it is very easy to attack someone who is not in this chamber. You should be ashamed. Hang your heads and hang them low.

**Senator ABETZ** (Tasmania) (3.16 pm)—The undermining of the leader of the Labor Party has begun in earnest by the contribu-
tion of left-wing Senator Sterle, because one thing is very clear: in his attack on the member for Lyne, he must have known that we on this side would respond with the information that the Labor leader himself moonlighted whilst in opposition and earned consultancies of $130,000. Talk about two pay cheques; talk about duplicity. That is exactly what the Australian Labor Party does: don’t do as we do, just do as we say because we will always do differently to that which we say.

Here we have the Labor leader, whilst in opposition, moonlighting with a consultancy, which is something that Senator Sterle condemned. Hello! Did we ever hear him condemn that whilst they were in opposition. Talk about earning a second pay cheque for his family. One hundred and thirty thousand dollars is more than a backbencher earns in a full 12 months. If Senator Sterle is so upset about that, where was his condemnation of Mr Rudd?

Indeed, if he was so concerned about people not being here for all of question time, he might like to explain why the now leader of the Labor Party, Mr Rudd, was squired around the world, courtesy of Chinese companies, to Sudan, to China, to the US and to England. And do you know what? He missed one question time after another because he went on these trips whilst the parliament was actually sitting. There is no condemnation of Mr Rudd there. What we have is another clear example of Labor saying, ‘Do as we say, but don’t do as we do.’

But let us come back to the member for Flynn. I can understand why those opposite would not want to hear that the massively wealthy Guangzhou based property developer Zhou Zerong paid for one of Mr Rudd’s trips. He also paid for the Treasurer to visit China. Woodside, the Perth based energy company, also paid for Mr Rudd to go to China. A company called Beijing AustChina Technology Ltd funded Mr Rudd’s trip to England, the US, Sudan and China in June-July 2006, and the last trip happened when parliament was sitting. Mr Rudd missed not one but several question times, all while being funded by a telecommunications company. On top of all that he got $130,000 in extra consultancy fees.

Yet the Australian Labor Party seek to condemn those on the other side. The only reason they have thrown Mr Vaile into the equation is that they have been caught red-handed, with the new member for Flynn still appearing in advertisements trying to trade on his parliamentary career to boost his conveyancing business. One of the slogans of his advertisement is: ‘Fixed fees, no surprises.’ Well, I have got a surprise for the member for Flynn. Whilst his motto may be ‘no surprises’, there is a surprise, and that is that his own Labor colleagues condemn the double pay cheque. I am sure Senator Sterle will be around to the office of the new member for Flynn as soon as this debate is over to condemn him for double dipping and for breaking the Labor Party’s standard of having two pay cheques coming in to that family from Mr Charles’s own resources.

What we have here is an abrogation of duty and responsibility. The Leader of the Government in the Senate, upon being questioned by Senator Ronaldson, should have immediately said that he would check up on the allegation and come back to this chamber. The Labor Party talks about running surpluses. The only surplus we have seen thus far is a surplus of arrogance and abrogation in relation to the duty to the people of Australia.

Senator MARSHALL (Victoria) (3.21 pm)—I congratulate the opposition on their new-found interest in openness and accountability, because that is something I never saw demonstrated in the six years that I was over
there in opposition when the then government time and time again shut down debate, did not allow time for proper investigation and ignored questions. There were probably only two occasions in question times that I thought ministers had genuinely attempted to answer a single question. I think it is a little bit rich for them to come here with these accusations of hypocrisy and allegations; we have had three months in government, so why haven’t we got everything absolutely right yet? The problem with that argument is that they left the position about transparency and accountability so devoid of any value that it is taking us a considerable amount of time, longer than we would like, to get to the point where we have proper guides and procedures to enable the public to have confidence in the work of politicians so that we all—the public, the politicians and everybody else—understand where the line should be drawn and how there should be accountability to this parliament and to the public in general.

This argument that the opposition is throwing up today is absolutely phoney. In order to get a few headlines, they come in here with allegations that have not been made before and are not known to the government. They use the fact that a new member of parliament has his photo in an advertisement in a local Queensland newspaper and then ask the government to guarantee that no government funds were used in the advertisement. How would we know that at this point in time when this is the first time the allegation has been made?

Senator Evans made a very succinct observation to Senator Ronaldson that, if this was such a concern and the opposition were worried about it, had they had actually asked the new member, Mr Trevor, whether or not funds were used? But, instead of asking to find out, they simply tried to make some headlines in a very amateurish way by trying to ambush the government into a position where they could not possibly give an answer to those questions. It was merely a political stunt, an absolutely prime example of sheer opportunism, and it is a phoney argument. There is no suggestion and, now that this ad has been tabled, there is no indication, as Senator Evans rightly indicated to the Senate, that government funds were used in this advertisement.

Then we hear Senator Abetz say that the problem was that we should have expected this sort of an attack because of our attacks on Mr Vaile. If my memory serves me correctly, I think most of the attacks on Mr Vaile came from the opposition. I have a report here from the newspaper that said:
The Opposition Leader, Brendan Nelson, was angry Mr Vaile had not told him of the trip and said his actions were inappropriate.
The last time I looked, even though Dr Nelson has been a member of the Labor Party, he was actually Leader of the Opposition. The Leader of the Opposition is attacking Mr Vaile. He then went on to say:
Had he consulted me about this before he had gone, I most certainly would have advised him in the strongest possible terms that it wasn’t appropriate for him to be overseas doing the kind of thing that we understand he’s doing ... He should be in Australia and he should be working and be available to his constituents.

And strangely enough in the same article it goes on and says, ‘Senator Minchin agreed.’ I have never accused Senator Minchin of once being a member of the Labor Party.

**Senator Minchin**—No way!

**Senator MARSHALL**—I am glad he has confirmed that. That puts it beyond any doubt, and we can trust Senator Minchin that he has been very consistent in his alignment for all the time I have been here. But he said:
I suspect the public don’t take kindly to the idea that serving members of Parliament travel overseas for lobbying activities …

I think that puts a lie to the allegations and assertions that Senator Abetz makes that this is an attack in response to our attacks on Mr Vaile. It simply does not pass the laugh test, quite frankly. The two most senior people in the Liberal Party are the ones that have been attacking Mr Vaile about his actions. These are things that ought to be debated. There ought to be some public discourse about it, and these issues ought to be resolved. Don’t simply come in here with a phoney position making cheap shots to take some heat off—

(Time expired)

Senator IAN MACDONALD (Queensland) (3.27 pm)—What a sad and unfortunate speech from Senator Sterle, raising the issues of morals in this particular business and asking what right we have to lecture the Labor Party. We did not lecture anyone—and we do not—but we might have had good reason to if you think about these names: Brian Burke, Keith Wright, Bill D’Arcy, Dr Theophanous, Mr Orkopoulos and Mr Gordon Nuttall—just to name a few. I was very disappointed to hear Senator Sterle enter into that.

It is quite clear that the Deputy Prime Minister, Ms Gillard, has been criticising Mr Vaile for allegedly having an overseas consultancy job. How is that different to the issue raised by Senator Abetz that Mr Rudd had a $130,000 consultancy overseas a few years ago? Can someone explain to me the difference between Mark Vaile and Mr Rudd? I would be very keen if one of the Labor speakers could tell me what the difference is. What is the difference? The Deputy Prime Minister criticised Mr Vaile. Why does she not criticise Mr Rudd for doing exactly the same thing? In relation to Mr Trevor, I am not sure that any allegation was made. There was a question asked whether there was improper use of Commonwealth activities. I might give Mr Trevor a word of advice. When I was elected to this parliament on 1 July 1990, I resigned from my legal practice on the same day because, as a senator, I had a view that 100 per cent of my time should have been spent serving my constituents. If Mr Trevor is still in practice in his very busy practice in Gladstone—

Senator Chris Evans—Ambulance chasing.

Senator IAN MACDONALD—I take the interjection about ambulance chasing. I was often accused of it but it was not an area of law I ever practised—I always found it too difficult—but it was something the Labor Party concocted many years ago.

Mr Trevor’s practice is one of those that one refers to as ‘ambulance chasing’. It looks after all the unionists who have a fall at work and then sue their bosses. Mr Trevor has a very big and busy practice. I have no idea whether Mr Trevor is still in practice. If he is not then using his photograph on an advertisement for his former firm would seem to be misleading in the extreme. That would presuppose that he is still in practice.

I happen to know the electorate of Flynn very well. I campaigned there a lot during the campaign. We did very well in the Senate vote there. It is a huge electorate. It goes from Gladstone right out to Winton and Longreach, with all the places in between. There are the big cities of Emerald, Biloela and Barcaldine. I was talking to a journalist in Longreach the other day. I said, ‘I suppose Mr Trevor has been out here quite a bit since the election three months ago?’ The journalist said to me, ‘We haven’t seen him yet, but we understand he is coming.’

I will just give Mr Trevor this advice: people out there expect to be represented. I do a lot of representation in that area because the people there obviously do not have a
great deal of confidence in their current member. You cannot sit in Gladstone running a legal practice when you have a huge electorate with a very diverse range of issues to serve. If Mr Trevor is still in practice, he should give it away straightaway, as I did. If he is not in practice, his advertising needs to be checked a bit further.

I want to go one further. What is the difference between Mr Trevor earning an income from his legal practice in Gladstone and Mr Vaile’s situation? I am not defending Mr Vaile, and I do not want to defend Mr Trevor either. But I would like those people in the Labor Party, who seem to raise the hypocritical argument that it is wrong for Mr Vaile but not for Mr Trevor, to explain to me the issues of consistency and lack of hypocrisy in the attack they have made on Mr Vaile.

Question agreed to.

Illicit Drugs

Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.32 pm)—I move:

That the Senate take note of the answer given by the Minister for Immigration and Citizenship (Senator Evans) to a question without notice asked by Senator Allison today relating to drug use and abuse.

The reason for asking this question was that Australia faces a very difficult and serious situation of drug use and abuse in this country. My question went to whether this government will do what the last government refused to do, and that is to look at the current way in which drug policy is formulated and to examine its effectiveness.

We know that enormous amounts of money have been spent on trying to stop drugs from coming into this country. But we also know that a mere 13 per cent of drugs have been apprehended. This suggests that we need to look at an alternative solution to this very serious problem. We have a black market in illicit drugs which is more profitable than it ever was. Eighty per cent of those who are in jail are there for drug related reasons, and the vast majority of those people are users. They might be small-time peddlers, but they are not the people who are responsible for this enormous industry which exists in our country and survives on the misery of those who become addicted to these substances, particularly to heroin.

We also know that a dollar spent on treatment is seven times more effective in reducing the very huge cost to society, business, government, hospitals and health services across the country. So I urge this government to think very seriously about how, in the next few months, Afghanistan’s huge increase in the production of heroin will be coming here. It is not just coming; it is already here in some respects. We know that from the police and ambulance reports that tell us that the rates of overdose are climbing steadily. That can mean only one thing: heroin is available here, it is of a very high level of purity and it is being consumed by Australians as we speak.

I was interested to come across a couple of articles on this subject just in the last couple of days. The articles suggest that—apart from harm minimisation, which would not lock up so many people in prison—one option to deal with Afghanistan’s 8,200 tonnes of expected crop this year would be to include Afghanistan in the legal production of opium poppies. Tasmania produces opium. It does so under a legal framework. We know that in doing that we hand such farmers over to the influence of the Taliban and the al-Qaeda insurgency. An article that came across my desk said:

To the extent they burn and spray poppy fields, international and Afghan Government forces are
no doubt pushing the ethnic Pashtuns of southern Afghanistan closer to the Taliban (even though the Talibs banned opium when they were the government).

That we would imagine that people would willingly give up a cash crop, which is so valuable to them in such a poor country, in order to protect our citizens from the opium and heroin which is produced by those crops is absurd.

At the international level, I urge this government to look very carefully at what might be done to make sure that this heroin does not make it to Australia in large quantities, as is expected. For that which does arrive here—and we will never stop it—I agree with Senator Evans that there is a need for measures to be taken, including law enforcement. But it is a question of emphasis. If all of our money goes into stopping heroin from coming to this country, we will not be successful.

As I tried to point out, there are addicts all around this country who, for want of access to drying-out facilities and rehabilitation and treatment services, are continuing to abuse heroin. Addiction is a very difficult condition to have. You cannot say to an addict, ‘Stop taking it. Don’t take it in the first place. Just stop now; it will all be okay’, because, as we know, addiction to such a substance is a lifetime one. (Time expired)

Question agreed to.

CONDOLENCES

Mr Siegfried Emil (Sid) Spindler

The PRESIDENT (3.37 pm)—It is with deep regret that I inform the Senate of the death, on 1 March 2008, of Sid Spindler, a senator for Victoria from 1990 to 1996.

Senator CHRIS EVANS (Western Australia—Leader of the Government in the Senate) (3.37 pm)—I move:

That the Senate records its deep regret at the death, on 1 March 2008, of Siegfried Emil (Sid) Spindler, former senator for Victoria, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

Looking around the chamber, I know a number of us knew Sid personally and served with him and were very saddened to hear of his passing. Sid was born to German parents in Poland in 1932 and was only seven when the German forces invaded. He grew up through the oppressive Nazi occupation and in the dying stages of the war he joined the hordes of refugees moving westward across Europe. Sid Spindler and his family ended up settling in East Germany. However, with the postwar Soviet occupation, it soon became apparent that they had traded one totalitarian regime for another. So in September 1949, at the age of 17, he migrated to Australia.

In his first speech as a senator, Sid recalled that the experience of growing up under the Nazi and Soviet regimes, of living through the horrors of the Second World War, particularly the Holocaust, had had a profound effect on him. It ingrained in him a very strong social conscience, an impassioned commitment to Australia’s democratic values and a burning to fight for justice and fairness for others. Upon arriving in Australia, Sid Spindler trod the path that many postwar migrants took and began by taking jobs in factories and on building sites. He was one of the many new Australians during that period whose hard work helped build the infrastructural foundations of Australia’s modern economy. He was a very worthy migrant to this country.
He, again like many other Australians, worked his way up to owning his own business, a painting and decorating business, which had become very successful by the time he sold it two decades later. At the same time, he was juggling the challenges of part-time study, marriage and raising four kids. He earned a law degree from the University of Melbourne, a qualification which no doubt helped to further instil in him his deep sense of justice. By the early 1970s, Sid Spindler had sold his business and started working in public service roles. He was the administrator of the Outer Eastern Regional Council for Social Development, he worked at the Community College of Central Australia at Alice Springs, for the Northern Territory government and also for United Nations consultancies in Tonga and Western Samoa. Again, these experiences were formative for Sid, particularly the time he spent in the Northern Territory with Indigenous communities, which he said engendered in him ‘an abiding respect and affection for Aboriginal people and a strong and continuing interest in their quest for justice’. It is worth noting that Sid Spindler’s commitment to Indigenous Australians continued for the rest of his life.

As he continued in new social justice work, his involvement in politics also grew. In 1972 he joined the Australia Party. Many will not remember the Australia Party. He went on in 1977 to help found the Australian Democrats. From 1981 to 1990 he worked as a senior adviser to Don Chipp and Janine Haines, until he was elected to the Senate in 1990 with the highest vote ever enjoyed by the Australian Democrats in Victoria.

He soon developed a reputation for being one of the most hardworking senators in this place. Over his term from 1990 to 1996, Sid Spindler holds the record for speaking more than any other member in either house. I can personally vouch for that. He had a lot to say. He was a tireless advocate for those whom he saw to be oppressed or disadvantaged, particularly Indigenous Australians, asylum seekers, prisoners and pensioners. He used his opportunity as a senator to be a voice for them. He also used his time as a senator to campaign for the environment and against child labour, the exploitation of textile workers and discrimination towards same-sex couples.

Sid Spindler made a significant contribution to the Senate. He was a very principled man. He was a man I was very fond of. He always had something interesting to say. He always challenged your thinking and was a very significant senator in his time. He led the Democrat negotiations with the Keating government over the Mabo legislation, something of which I know he was very proud. He also played an important role in the development of industrial relations laws that prohibited discrimination on the basis of sexual preference. At the time he was quoted as saying, ‘For a civilised nation, equality should not be just words but should be translated into legislative action.’

When he left the Senate in 1996 at the age of 64, he might have reasonably thought that much of his political work was behind him; whereas, in fact, it seemed as though it was just beginning. In his later life, Sid Spindler immersed himself in Indigenous affairs. He continued to be a prominent activist for the causes of Indigenous Australians. He co-founded the Defenders of Native Title and the Victorian committee on deaths in custody. During the period I served as Labor’s opposition spokesman on Indigenous affairs, he was not backward in sending an email or two or making sure you understood his views or his causes. He was still very active.

He also moved into philanthropy and established the ‘Towards a Just Society Fund with his family. This fund, through which
Sid Spindler will certainly live on, distributes financial assistance to Indigenous students to the tune of about $200,000 a year. It aims to prevent Indigenous students from withdrawing from study because of financial pressures and, in so doing, to help bridge the gap between Indigenous and non-Indigenous education outcomes, a cause which is very close to the heart of this government and, I hope, to the hearts of all senators.

I am glad that Sid Spindler was alive to witness the apology to the stolen generations on 13 February 2008. I understand he was thrilled. I think that apart from his role in the formation of the Australian Democrats he will be best remembered for his deep commitment to Indigenous Australians. It is a credit to the Democrats that part of their contribution to public life has been the interesting and different personalities that they have seen elected to this place, who have contributed to political life in a way that perhaps senators from Labor and the coalition sides have not in the sense of being different sorts of characters. Sid was certainly one of those. He very much added to the place, as well as making a significant contribution to the Senate.

Sid Spindler passed away on his 50th wedding anniversary on 1 March 2008 after a yearlong battle with cancer. He is survived by his wife, Julia, children Karen, Chris, Linden and Rebecca and four grandchildren. On behalf of the government, I offer our sincere condolences to Julia and his family on the passing of a remarkable and inspirational man who made an extraordinary contribution to public life and to Australian politics.

Senator MINCHIN (South Australia—Leader of the Opposition in the Senate) (3.45 pm)—I rise on behalf of the coalition to support the motion moved by Senator Evans and to extend our sincere sympathies to the family of Sid Spindler on his sad passing on 1 March. Senator Evans has properly detailed Sid Spindler’s very distinguished political career as a senator for the state of Victoria. I will not repeat the details of that remarkable life, but I would like to touch on the key contribution that Sid made to the Senate.

It can truly be said that Sid Spindler made the most of his term in the federal Senate. Like Senator Evans, I served with Sid in the Senate from July 1993 until his retirement in 1996, and he contributed significantly to debate in this place during his term here. He was a very energetic contributor to the chamber and his committee work and worked tirelessly on amendments to legislation. Those of us in the bigger parties forget that those in the smaller parties have to work very hard in covering a whole range of legislation. Sid certainly did that. He served as the law and justice spokesperson for the Australian Democrats, and he was a longstanding member of the Senate Standing Committee on Legal and Constitutional Affairs and the Joint Committee on the National Crime Authority.

Of particular interest from my point of view was, as Senator Evans mentioned, Sid’s key involvement in the Democrats’ negotiations with the Keating government over their first attempt at legislating on native title, the Native Title Act 1993. He may regret that he was not here for another term. If he had continued for one more term, I have no doubt that he would have played a key part in the Senate debate in 1997 and 1998 on our government’s amendments to the Native Title Act, which I know only too well was the longest debate in the Senate’s history and one of the most difficult and complex.

Sid was probably one of the most frequent contributors to debate in the chamber during his term. His commitment to social justice was a strong and consistent feature of his
work as a senator. He commenced a number of campaigns—campaigns to end child labour, to end discrimination against same-sex couples and to improve the treatment of asylum seekers. He had a perspective on issues different from most of those on our side of politics, but we respected the integrity of his position enormously.

Sid’s approach to issues was, no doubt, shaped by his remarkable earlier life. As Senator Evans mentioned, Sid spent his early life in war-torn Europe and then migrated to Australia in 1949 as a 17-year-old. No doubt that had an enormous bearing on his attitudes and political beliefs. It is one of the great things about Australia and the democracy that we have formed in this country that a man like Sid can come to Australia from war-torn Europe as a teenager and, ultimately, successfully become a member of this great chamber. It is a fantastic effort on Sid’s part and a great reflection on this great democracy of which we are all privileged to be part. He played a key part in the formation of the Democrats—a party that is of interest to those on our side because it was primarily formed by a former Liberal, Don Chipp. Sid worked closely with Don Chipp in the formation of that party. It is a reminder of the fickleness of politics that the Democrats, as of 30 June, will no longer have anybody in this chamber—something that would, no doubt, have made Sid extraordinarily sad.

Sid was very active after his retirement from the Senate. He was a prolific writer of letters to the editor, and he continued his work with and for Indigenous Australians, to whom he had an enormous commitment. As Senator Evans said, Sid and his family founded the Towards a Just Society Fund to assist Indigenous students at risk and prevent them from dropping out of their education. We all acknowledge the fundamental importance of education to the ultimate aspirations of young Indigenous Australians.

To his wife, Julia, and his four children, Karen, Chris, Linden and Rebecca, and their families: the opposition places on record its profound appreciation of Sid’s meritorious public service and tenders its profound sympathy to his family in their bereavement.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.50 pm)—I rise to join the debate on this condolence motion on the death of former Democrats senator Sid Spindler. We are saddened to lose our colleague and friend Sid, who died on 1 March, aged 75, on his 50th wedding anniversary. I understand that his death was a peaceful one and that he was surrounded by family on that day. Sid was diagnosed with liver cancer 12 months ago—a diagnosis which, as we all know, often indicates a limited lifetime. On behalf of the Democrats, I offer our condolences to Sid’s widow, Julia; his four children; his many grandchildren; his extended family; and his friends.

Sid’s contribution to Australian politics is a huge one. He was a man who fought injustice all his life and he was central to the formation of our party 30 years ago. He won great respect for his work in the Senate from 1990 to 1996. During his formative years, growing up during the war in Poland, he witnessed first-hand the Jewish ghettos. His dawning realisation of the enormity of what he was witnessing—that these people would be exterminated in Nazi gas chambers—led him to condemn humanitarian abuses of states and to question and condemn the evils of discrimination at every level.

Sid worked extremely hard. He was, as others have said, a prolific writer and speaker, particularly in the chamber but also in the media. He fought many, many battles. He was determined to defend human rights and to improve the lives and the opportuni-
ties of those most marginalised in society. He will be remembered for his campaigns to end child labour and the exploitation of out-workers in the textile industry, for establishing a fighting fund for legal challenges to woodchip licences and for campaigns on sexuality discrimination and the treatment of asylum seekers. He was very opposed to militarism. He went to Tahiti to protest against the French nuclear tests there, the last to be held in that part of the world. He challenged the Keating government’s economic policies and prepared alternative budgets to theirs, which took an enormous amount of time and effort, and he put forward alternative proposals for things like tariff protection.

He was perhaps one of the few to have extracted an apology from former Premier of Victoria Jeff Kennett, who accused him of being a Nazi because of the fact that he was, as all children of German parents were, enrolled in the Nazi youth. But, as Jeff Kennett admitted, he was reacting to yet another of Sid Spindler’s efforts to bring about accountability of government by calling for an inquiry, which was eventually abandoned, into casino licences in Victoria. Sid was the first parliamentarian to hold an inquiry independent of the parliament, and that one was into tariffs. He won changes to the industrial relations laws to stop discrimination in employment on the basis of sexual preference, age and physical and mental disability, and he had customs duty removed from wheelchairs.

He led the Democrat negotiations team on native title and was a campaigner even in retirement against Indigenous disadvantage. It was one of his passions. Just days before he died, he said that the 13 February apology to the stolen generations had gladdened his heart more than any other single public event over his long life. In his first speech in the parliament, in August 1990, he declared ‘a strong and continuing interest in their’—that is, Indigenous Australians’—’quest for justice and a place in our community that takes account of their cultural and spiritual heritage, which can and should enrich our own’.

Twelve years later Sid, with family and donor supporters, established his own philanthropic fund, called Towards a Just Society, dedicated to supporting Indigenous education.

He was a law graduate who had a successful painting and decorating business in the 1970s, but he worked to establish the Australian Democrats, as I said, and he worked for over a decade as a senior adviser to party leaders Don Chipp and Janine Haines. He won a Senate seat in Victoria in 1990 with, as has been mentioned, one of the highest votes ever.

On Sid’s retirement a member of his staff, Matthew Townsend, arranged for bound volumes of his speeches to be put together and he presented them to Sid. It formed a pile that was bigger than several urban phone directories, which led his widow, Julia, to say, ‘He’d have spoken even more often if they’d let him!’ I am sure that is the case. He was a serial overachiever and always over-worked. It was nothing for him to expect his staff to be on duty at least six days a week, preferably seven.

His mother-in-law also said that he was a deft delegator. She once said, ‘Every time you see him, you get a job,’ and that was certainly my experience with Sid as well. There was always something that you could do to assist some cause. I spent quite a bit of time in his office ahead of coming into the Senate to replace him, and that was my experience too. Everyone was pulled in to serve the greater good of whatever the campaign was.

He did not seek re-election after his retirement, but he did admit to me later that he
was disappointed in that because he felt that after six years he was just hitting his straps. We agreed that a two-year term is one in which you can develop those skills and really work on the campaigns that you most want to achieve in. But he was not well and he also felt that his family had paid too high a price for his obsession with changing the world. Of course, on his retirement he became much more active in Aboriginal affairs. He became a business manager at the Alice Springs Community College in the late seventies. Aboriginal affairs was a cause that he and Julia supported, including campaigns for reconciliation, a treaty and the implementation of the reforms proposed by the deaths in custody inquiry.

In January he was dismayed that fellow sufferers of cancer could not get an anticancer drug called Avastin. He appeared on television news services campaigning for that drug to be supplied, means tested, on the PBS list. The most recent issue of the current affairs magazine *Arena* featured a comprehensive and heartfelt Spindler article on empowering Aboriginal communities. So right up until the time of his failing health and his death he was working towards one campaign or another.

He also came to the launch of the Democrat election campaign in November, and it was fantastic to see him there, even though it was fairly clear to most of us that he was very ill. I am personally very grateful to Sid for the help and the mentoring that he provided to me when I contested his seat on his retirement in 1996. I will miss him and I know that other members of our party will do so, as will my colleagues, former colleagues and others in this place.

Senator BARTLETT (Queensland) (3.59 pm)—I join very strongly in lending my support to this condolence motion for former senator Sid Spindler. What an incredible contribution he made, not just to this Senate in six short years but also to politics more broadly, to political debate, to society and to his family. The contribution by his family at his funeral service, held just last week in inner Melbourne, indicated just how proud they all were of his life, his contribution and his achievements.

When the Senate has condolence debates one often goes back to look at people’s first speeches in the chamber to see some of the things they talked about, and a few people have referred to that. They have also referred to how frequently Sid spoke in this chamber—more frequently than anybody else. I thought I would look at his final speech, and in doing so I discovered that, perhaps as an indication of how frequently he spoke, he actually gave two final speeches because one was not enough for him. On top of that, after his so-called final speeches he gave a few more speeches on other matters that were before the Senate at the time—he just needed to put his remarks on the record. During his last couple of weeks in the Senate he spoke on issues as diverse as gun control, drug law reform, the situation in Bougainville, Medicare, Customs legislation and issues, migration laws and civil liberties in general, as well as proposing Senate committee inquiries.

What was clear in his final contributions was how important he saw the role of the Senate itself. Indeed, I think it is fair to say the Democrats have always focused on the Senate’s role and on Senate processes as a means to an end and as a means of ensuring that the ends achieved are as positive and as beneficial as possible.

I think it is important to emphasise that, while we are marking the end of an era with the passing of Sid Spindler and with the end of Democrat representation in this chamber at the end of June, we are also approaching a
time when the Senate will once again return
to a situation where it is not dominated by
any single party—where the crossbenches
will have a say on crucial issues and no one
party will have control. I think it is important
to emphasise just how crucial it is to get the
Senate back to doing that job. Senator
Minchin was right: it is often forgotten just
how immense the task can be for people
from smaller parties if they really want to
properly do the job of looking, as he said, at
every clause in every bill—certainly where
there is a balance of power scenario in
play—and assessing whether or not they
should be supported, opposed or amended
and improved. That really is part and parcel
of our task here.

For all sorts of reasons that key role has
been degraded in recent years. It is abso-
lutely pivotal, as the Senate moves into a
new era in more ways that one come 1 July,
that that key role is restored. People could do
worse than look back at the contribution
made to that role by Sid Spindler—not spe-
cifically at his personal views, his policy
views or the amendments he did or did not
get up but at the way he went about it. Hav-
ing said how hard it is for the smaller parties,
I would appreciate it is even more difficult to
be in a position like Senator Fielding, where
you are a sole player, if you like, in positions
of sometimes immense responsibility. So I
provide that totally unsolicited advice and
thank him for his presence in the chamber
and for his support for this motion.

When looking at the two last speeches that
Sid Spindler gave in this chamber, what
came through more than anything was the
absolute importance of the Senate processes
working as effectively as possible and the
fact that, even where people disagree quite
strongly on issues, they can work together
effectively when they actually seek to do so.
I really hope the Senate can get back to func-
tioning in that way because, frankly, in the
last few years it has not done so anywhere
near as much as it should.

The issues that Sid Spindler worked on in
his life, let alone during his six years in this
chamber, which is really quite a short period,
were just far too numerous to note in any one
speech that I could give here—earlier I ratt-
tled off about 10 issues that he addressed in
just his final two weeks in this chamber. But
there is no doubt that he gave key priority to
the situation facing Indigenous Australians.
Often it is the case that more recent immi-
grants to this country can more immediately
see the enormity of the inequality and the
importance to the future of the nation for all
of us—the nation that they have migrated to
and chosen to become a part of—of address-
ing that inequality. It seems to me that some-
times more recent migrants can be more con-
scious of the importance of that than people
whose families have been here for a few
generations. After his time in the parliament,
Sid remained an incredibly strong voice in
putting those issues forward—as he had been
prior to his time here.

His role in the formation of the Australian
Democrats has been referred to in passing by
previous speakers, but I think it needs to be
put on the record that, along with a few other
people apart from Don Chipp, he really did
play an absolutely central role. Understanda-
bly the focus has always been on the role of
Don Chipp, and he needs to be lauded and
acknowledged as the key player, but there
are a few others without whose enormous
effort and vision the party would not have
got off the ground. Sid Spindler is one of
those absolutely pivotal individuals.

As has been mentioned, he was involved in
the Australia Party prior to the Democrats,
from 1972—it was good to see a few other
people from that era at his funeral in Mel-
bourne. As he said himself on the record in
this chamber, he first approached Don Chipp
as early as 1972 to float the idea of him getting on board with the Australia Party. It took a range of circumstances and events before that came about in 1977. It shows the benefit of perseverance and of sowing a seed. Even if somebody says no initially it can bear fruit down the track, and he played a key role in continuing to explore those sorts of options. It is worth noting, given the circumstances and history of the Democrats, that it was formed when the Australia Party—which had been around for some years and had tried out a different participatory ethos and a different approach to politics—chose to collapse itself, in effect, and become part of another party. It is an interesting historical parallel given the situation the Democrats are now in 30 years down the track.

Sid Spindler also specifically pointed out, in some of his final speeches, the enormous impact on his family of his pursuing his passions with determination. As he said, while he preferred the words ‘determination’ and ‘single-mindedness’, many others, including his friends, colleagues, staff and certainly his family, would sometimes be inclined to use the term ‘pig-headedness’. But, to quote him, the inevitable result of his determination, single-mindedness or pig-headedness—perhaps all three—was that the children got short-changed. As he said, he knew—and he even knew originally—that he was depriving them and himself of the time, friendship and personal closeness that they should have had and that he would have loved. I think it was very clear from his funeral service last week that despite the acknowledgement that he and they made about the time he spent apart from them because of his passions in politics—towards social change and social justice—he still made an immense positive contribution to their lives. The pride that they felt in his being their father was very evident in that wonderful funeral service.

It is worth noting—because it is often forgotten, but he noted it—the contribution that staff make. Like all of us, he needed the contribution and support of hard-working and loyal staff. He specifically singled out Bev Irving, who was his staff member from the day he started until the day he finished. It was pleasing to see her also, along with some other former staff, at his funeral service. I was a staff member for other Democrat senators—Cheryl Kernot and then John Woodley—while Sid Spindler was a member of this chamber, and I think it is fair to say that all of us felt a bit sorry for Sid’s staff because whenever the rest of us were able to go out for dinner on an occasional Wednesday night, it was always Sid’s staff who had to work back. Our people worked us a bit hard—Cheryl was not exactly an easy taskmaster either—but by comparison the rest of us got it easy. That would seem unfair except that, if he made his staff work hard, he made himself work even harder. So, whilst he worked them hard, it was acknowledged and recognised by them as to why—it was not capricious; it was because of his determination to try and cover as many issues as possible and do his job as effectively as possible.

It is a fact that has been acknowledged that it did have an impact on his health. One of the reasons, amongst others, that he retired after a single term was that he had worked himself so hard that it had a significant impact on his health. He recognised the impact, also, on his family and others. Whilst it was only six years in the Senate, I think it is fair to say he probably got more out of that period than many of us would manage in the double the time or more.

I want specifically to note, apart from his strong commitment over many years to Indigenous Australians, the strong voice Sid Spindler also gave over many years to the importance of multiculturalism and the importance of defending the rights of migrants.
As a migrant himself he was very conscious of this. He was, of course, one of so many examples of the migrants whose enormous contributions have made and continue to make Australia the country it is. He played a positive role—one that I supported—in taking the position that was controversial within the party in regard to migration. Where others sought to take a position of limiting migration intake, he always highlighted the positive role that migrants played—the impossibility of singling out migrants by saying we should support refugee intake but somehow oppose other migrants coming here. He took a position that I shared on that, and I think it was one that has been demonstrated, over a long period of time, to have been the correct position. That also links to his strong sense of social justice; it was a recognition of the ease with which migrants can be exploited, whether by labour laws or by workplace conditions, and economically or socially discriminated against. He played a strong and effective role in speaking out against that.

One of the other things he did in his last few months in the chamber was to introduce groundbreaking legislation seeking to remove discrimination on the grounds of sexuality from Commonwealth laws. That piece of legislation I was pleased to be able to take over from Sid and put my name to in the late 1990s. It was then transferred to the former Senator Brian Greig’s name before it ended up back in my name and reappeared again in legislation that is still before this chamber. The legislation also, I might say, triggered the first comprehensive national enquiry into the extent of discrimination on grounds of sexuality. That committee report, which was tabled in this chamber at the end of 1997 by the Senate Legal and Constitutional References Committee, remains groundbreaking. It remains crucial in providing example after example of the human impact of discrimination on the grounds of sexuality. It was the forerunner of and laid the foundations for a similar inquiry that was carried out 10 years later by the Human Rights and Equal Opportunities Commission.

Whilst I know Sid was very pleased to see the day when the apology to the stolen generations occurred, I am sure he would also have loved to be here on the day, which I know will come quite soon, when the legislation that removes discrimination on the grounds of sexuality from all federal laws is finally passed under this new government. We are almost there. We will get there, and when we do get there an enormous amount of credit must go to Sid Spindler for laying the groundwork, not just through putting in place legislation but also through making the case out in the community.

I was a staff member for other Democrat senators at the time he was in this place. Before he introduced his legislation I remember the significant rounds of the public consultation that he held. I can remember the ones in Brisbane that he held in the old Commonwealth Parliament Offices in Ann Street. I can remember a whole range of people coming together, outlining why change needed to occur, what the problems were and what the human impacts were. He was not just making a dry legal case but also building support at community level for the change. It is a shame that it has taken so long, but it will come and he should take a significant amount of credit for that.

The other point I would like to make in closing is on a personal level, to thank him for his ongoing support for me. The last time I had an extended conversation with him was prior to the federal election, which was obviously a difficult one for everybody who was a Democrat and those of us who were seeking to retain our seats—unsuccessfully, of course, as it panned out. He continued to
provide personal support and encouragement and advice, as did Julia, his wife, I might add. It was very direct and real support and I appreciate that.

I would also emphasise that whilst he, like all of us who are involved in the Democrats, was disappointed at how things panned out at the last election and the situation that the party has found itself in, he always made clear—and it was again made clear at his funeral service by his children—political parties of all shapes and sizes and types are just a means to an end. They should not be an end in themselves. We should always remember what we are doing it for: to make the world a better place and a fairer place. There is no doubt that those core goals remained the focus of Sid Spindler’s life throughout his time in this country and through his rich contribution to Australia, including his time in this parliament. Those goals of social justice, fairness, opposition to totalitarianism and authoritarianism were common threads throughout his life. Keeping those goals in mind is what we need to focus on, not political parties and vote-gaining for its own sake.

It is a matter of some irony, which Senator Allison referred to, that Sid Spindler got smeared for allegedly being a member of the Hitler Youth purely because he was living in a country that was under Nazi occupation when all young people were compulsorily part of the Hitler Youth. On the one hand he got smeared as being a supporter of the Nazis. On the other hand, I recall in this chamber his being called a communist by one member of the Liberal Party. It is ironic in a way. I guess you get those slings and arrows in political debate, but for somebody who more than anyone else had seen firsthand—probably more than just about anyone else here in this chamber—the direct horrors of extreme totalitarian regimes such as he experienced as a young person in Europe, of Nazism, fascism and communist totalitarianism, it is ironic. He was a strong opponent of such extremism throughout his life. It is one of the perversities of politics that someone with his experiences ends up coping those sorts of attacks. It is an example not just of how he was shaped by his youth but how he continued to hold strong to those principles in the face of attacks, and his determination continued right through to his very last day.

It is worth noting, I think, that if all of us can say, not just when we leave this chamber but when we finish our time on this planet, that we have made a contribution even half as significant as Sid Spindler’s then we would feel very proud. His family are right to feel very proud of him. I associate myself with this condolence motion and with those words and pay tribute to his contribution. I wish his wife, Julia, and his children and grandchildren well and I know that they are comforted by the many, many fond memories they have. I also seek to incorporate the contribution of my colleague Senator Stott Despoja, who is not able to be here today but wishes to have her remarks incorporated in Hansard.

Leave granted.

**Senator STOTT DESPOJA** (South Australia) (4.19 pm)—The incorporated speech read as follows—

Motion of Condolence for former Senator Siegfried Emil (Sid) Spindler
Sid Spindler was a close friend, colleague and mentor.
I am the only current Democrat Senator to have served with him in the party room but I knew him well when I was a staff member during the early 1990s. In fact, while I was working for former Democrat Senator Karin Sowada, we were in adjoining offices.
Sid left the Senate in 1996, the year after I became a Senator. I missed his presence in the party room but he remained a respected, loved and supportive party figure and even better friend.
He is famous for his indefatigable work ethic. He was one of the few Senators there as late as the staff!

He didn’t suffer fools gladly and it took time for him to respect your commitment and talent, but to be accepted and supported by Sid was amazing. His support never wavered and I am forever grateful for that, especially during tough times in the party’s history.

Sid’s legacy is a proud one.

He was a fearless advocate for human rights, domestically and internationally. He was a passionate and tireless advocate for equality and social justice.

I learnt from his tenacity and his dedication. He worked the hardest, longest hours. He picked apart legislation, encapsulating what it was to provide a check on executive power. He moved many amendments to improve bills as well as initiating policy, Private Senator’s Bills, and inquiries he later even self-funded.

Sid’s commitment to the rights of workers, refugees, indigenous Australians, and people all over the world is unassailable.

That he died on the 30th anniversary of the Mardi Gras reminds us that his work on ending discrimination for same sex couples is second to none in Federal Parliament.

Sid had a great sense of humour. He enjoyed being included in the Men of Senate calendar—yes, a bit of cheek on my behalf—and was always good for an intellectual discussion or a laugh at the many events and meetings we attended together over the years.

It is a great disappointment to me today that I cannot be there in person to eulogise this man. As I have just had my second child I am unable to travel for this sitting period. Otherwise I could do greater justice to the many fun, difficult, challenging and exciting times we had in this place and in the party.

I thank him personally for his unwavering support. He was a tower of strength during the GST debate and again when I was Leader of the party he helped form.

One of my happiest memories is celebrating the 25th birthday of the Democrats at a dinner in Melbourne, which included former senators like Sid, Don Chipp, Norman Sanders and John Siddons. He knew I was proud to be a part of that group of like-minded party stalwarts.

Sid never gave up on the party he helped form.

He worked with former leaders and then was a Senator from 1990 to 1996. Even while he was ill, he was still passionately espousing the Democrat cause—in spite of some devastating disappointments over the years—and was a forceful advocate for our existence.

We have lost a Democrat secure in our history and I’ve lost a friend and colleague.

He is survived by his wife Julia and children Kerry, Chris, Lindy and Bec, to whom the party and my family (Ian, Conrad and Cordelia) send our love and best wishes and thank them for the time they allowed us with their husband and father.

Question agreed to, honourable senators standing in their places.

PETITIONS

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

Pro-choice

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

We the undersigned citizens support a woman’s fundamental right to safe, affordable and legal abortion.

We oppose any moves within the Parliament to deny women this right or to restrict or to impose conditions on women’s access to termination of pregnancy.

Your petitioners request that Senators reject any legislation that comes before the Senate that would undermine a women’s right to access abortion.

by Senator Allison (from 20 citizens)
Immigration
To the President and members of the Senate in Parliament assembled.
The humble Petition of the Citizens of Australia, respectfully sheweth:
That we reaffirm our support for the Constitution of the Commonwealth of Australia which states “Whereas the people of New South Wales, Victoria, South Australia, Queensland and Tasmania humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth...” (Constitution Act 9th July 1900) and the affirmation of 69% of our Australian population that they are Christians, and the statement of one of our founders that “this Commonwealth of Australia from its first stage will be a Christian Commonwealth” (Sir John Downer 1898), and the Opening Prayer of the Parliaments “Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory” and recognises the importance of these beliefs in ensuring the ongoing stability and unity of our Christian nation.
Your petitioners therefore pray the Parliament of Australia will:
1. Review our Commonwealth Immigration Policy to ensure the priority for Christians from all races and colours, especially from persecuted nations, as both immigrants and refugees.
2. Adopt a ten year moratorium on Muslim immigration, so an assessment can be made on the social and political disharmony currently occurring in the Netherlands, France and the UK, so as to ensure we avoid making the same mistakes; and allow a decade for the Muslim leadership and community in Australia to reassess their situation so as to reject any attempt to establish a Muslim nation with our Australian nation.
And your petitioners, as in duty bound, will ever pray.
by Senator Ronaldson (from 18 citizens)

Anti-vehicle Mines
To the Honourable the President and members of the Senate in Parliament assembled:
The Petition of the undersigned shows:
That the undersigned note that like anti-personnel landmines, anti-vehicle mines are indiscriminate in who they effect, that they disproportionately kill and maim civilians, they delay relief efforts in war affected countries and they go on killing for decades after the conflict has ended. We note that Australia’s existing stock of anti-vehicle mines is obsolete and only used for training purposes, so now is the perfect time to commit to supporting a ban on these indiscriminate weapons. We welcome the Australian Government’s support for further restrictions on the use of anti-vehicle mines; but believe such measures to be inadequate to address the humanitarian problems caused by anti-vehicle mines.
Your Petitioners ask that the Senate should:
• Legislate a ban on the production, transfer, importation and use of anti-vehicle mines in Australia and by Australians other than by the Australian Defence Forces for training in demining and avoiding the hazards of anti-vehicle mines; and
• Pass a motion supporting the development of an international treaty that would ban the production, transfer, importation and use of anti-vehicle mines globally.

by Senator Troeth (from 57 citizens)

Petitions received.

NOTICES
Presentation
Senator Allison to move on the next day of sitting:
That there be laid on the table by the Minister for Broadband, Communications and the Digital Economy, no later than 4.30 pm on Thursday, 20 March 2008, a copy of the KPMG ABC Funding Adequacy and Efficiency Review report.

Senator Allison to move on the next day of sitting:
That there be laid on the table by the Minister representing the Minister for Education, no later
than 4.30 pm on Thursday, 20 March 2008, a copy of the Department of Education, Science and Training review of private school funding report.

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

That the time for the presentation of the report of the Select Committee on State Government Financial Management be extended to 18 June 2008.

Senator Murray to move on the next day of sitting:

(1) That the Senate, noting concern in the community at the abuse of alcohol, asks that the Government refer the following matter to a parliamentary committee, an appropriate body or a specially-established task force for inquiry and report:

The need to significantly reduce alcohol abuse in Australia, especially in geographic or demographic hot spots, and what the Commonwealth, states and territories should separately and jointly do with respect to:

(a) the pricing of alcohol, including taxation;
(b) the marketing of alcohol; and
(c) regulating the distribution, availability and consumption of alcohol.

(2) That, in undertaking the inquiry, regard is to be had to:

(a) economic as well as social issues;
(b) alcohol rehabilitation and education;
(c) the need for a flexible, responsive and adaptable regulatory regime; and
(d) the need for a consistent, harmonised Australian approach.

Senator Murray to move on the next day of sitting:

That, in view of:

(a) the instances of developers being identified in investigations into corrupt influence in local government, and other levels of government;
(b) public and media perceptions of improper conduct and influence by developers; and
(c) calls for donations, loans, gifts and favours from developers to be prohibited, the Senate calls on the Prime Minister (Mr Rudd) to put this matter before the Council of Australian Governments, with a view to designing amendments to all federal, state and territory electoral laws no later than 1 December 2008 either:

(a) prohibiting donations, loans, or gifts by developers, either directly or indirectly, to candidates or political parties at any level of government; or
(b) significantly improving and harmonising law, regulation and governance in this area.

Senator Ellison to move on the next day of sitting:

That the Senate—

(a) notes that at the first ever global forum to fight the crime of human trafficking, the Vienna Forum to Fight Human Trafficking was held from 13 February to 15 February 2008 and convened by the United Nations (UN) Global Initiative to Fight Human Trafficking, an initiative launched by UN Office on Drugs and Crime and several UN partners in 2007; and

(b) urges the new Government to continue the initiatives of the previous Government to combat human trafficking:

(i) by ensuring that Australian agencies are properly funded in the upcoming budget to fight human trafficking and continues to be a world leader in this important area,
(ii) developing initiatives with regional partners to address this important issue, and
(iii) requiring the new Government to report to the Senate on the measures it will take to ensure that Australia is at the forefront of combating human trafficking.
Senator Conroy to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend the law relating to communications, and for related purposes. **Communications Legislation Amendment (Miscellaneous Measures) Bill 2008.**

Senators Allison and Stott Despoja to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) 8 March was International Women’s Day,

(ii) Australia trails other comparable economies in the area of gender equity,

(iii) despite achieving the universal right to equal pay more than 35 years ago, Australian women still experience a pay gap of 16 per cent compared with their male counterparts, and

(iv) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was established more than 8 years ago to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms; and

(b) calls on the Government to stand by its promise and ratify the Optional Protocol to the CEDAW as a matter of urgency.

Senator Bob Brown to move on 18 March 2008:

That the Senate:

(a) having regard to:

(i) the 11th Australia-China Human Rights Dialogue held in Beijing on 30 July 2007,

(ii) the United Nations (UN) Olympics Truce, as passed by the UN General Assembly on 31 October 2007 (A/RES/62/4),

(iii) the 49th anniversary of the Tibetan Uprising of 10 March 1959,

(iv) the 60th anniversary of the Universal Declaration of Human Rights, with particular attention to Article 9, concerning arbitrary arrest and detention, Article 13 on the right to freedom of movement and Article 18 on the rights to freedom of thought, conscience and religion,

(v) the establishment of diplomatic relations between Australia and the Peoples Republic of China on 21 December 1972 resulting in Australia-China relations developing strongly, politically and economically, and

(vi) the Australia-China Strategic Partnership, established on 7 September 2007, which is of great importance for the relationship between Australia and China;

(b) regrets that there have been no further rounds of the Sino-Tibetan dialogue since February 2006 and that the five rounds of talks between Chinese officials and representatives of the Dalai Lama from 2002 to 2006, led by his Special Envoy Lodi Gyari, brought no substantive results;

(c) calls on the parties to make every effort to continue the dialogue and on the Chinese Government to engage in substantive negotiations, taking into due consideration the Dalai Lama’s Middle Way Approach to the resolution of the Tibet issue; and

(d) reiterates its concern over the reports of continuing human rights violations in Tibet, including torture, arbitrary arrest and detention, repression of religious freedom, ‘patriotic re-education’ including forcing Tibetans to denounce the Dalai Lama, arbitrary restrictions on free movement, rehabilitation through labour camps and coercive resettlement.

Senators Allison and Ronaldson to move on the next day of sitting:

That—

(1) The following matter be referred to the Environment, Communications and the Arts Committee for inquiry and report by 23 June 2008:
The sexualisation of children in the contemporary media environment, including radio and television, children’s magazines, other print and advertising material and the Internet.

(2) In undertaking the inquiry, the committee, in particular:

(a) examine the sources and beneficiaries of premature sexualisation of children in the media;

(b) review the evidence on the short- and long-term effects of viewing or buying sexualising and objectifying images and products and their influence on cognitive functioning, physical and mental health, sexuality, attitudes and beliefs; and

(c) examine strategies to prevent and/or reduce the sexualisation of children in the media and the effectiveness of different approaches in ameliorating its effects, including the role of school-based sexuality and reproductive health education and change in media and advertising regulation such as the Commercial Television Industry Code of Practice and the Commercial Radio Codes of Practice.

Senator Bartlett to move on the next day of sitting:

(1) That so much of standing orders be suspended as would prevent this resolution having effect.

(2) That the following bills be restored to the Notice Paper and that consideration of each bill resume at the stage reached in the 41st Parliament:

- Migration Legislation Amendment (Migration Zone Excision Repeal) Bill 2006
- Migration Legislation Amendment (Migration Zone Excision Repeal) (Consequential Provisions) Bill 2006
- Migration Legislation Amendment (Temporary Protection Visas Repeal) Bill 2006

Senator Allison to move on the next day of sitting:

That the Senate—

(a) notes:

(i) that Amnesty International, CARE International UK, CAFOD, Christian Aid, Medecins du Monde UK, Oxfam, Save the Children UK and Trocaire, in the week beginning 2 March 2008 said that the humanitarian situation in the Gaza Strip is now worse than it was at any time since Israel occupied the Palestinian territories in 1967,

(ii) that those organisations in the week beginning 9 March 2008 described Israel’s blockade of Gaza as a collective punishment of the entire Gazan population of 1.5 million and said it was unacceptable and illegal,

(iii) that the situation has worsened since Israel imposed the severe restrictions over the Gaza Strip and hindered the movement of residents and goods,

(iv) that poverty levels in the Gaza Strip are rising and that hospitals are suffering 12 hour power cuts each day while water and sewage systems are close to collapse,

(v) that the United Nations (UN) emergency relief coordinator in Gaza says medical services are deteriorating, pri-
vate industry has more or less col-
lapsed, hospitals lack sufficient beds, 
 drugs, resuscitation devices, needles 
 and blood to meet the demand and 
 more than 80 per cent of the population 
 are receiving emergency rations from 
 UN agencies as their main source of 
 food,

(vi) that 40 per cent of the Gaza population 
 has access to water for only a few 
 hours a day and that municipal authori-
 ties lack the fuel and spare parts needed 
 to maintain water delivery infrastruc-
 ture which could collapse at any time 
 and that 40 million litres of raw or par-
 tially-treated sewage is being pumped 
 into the Mediterranean Sea every day 
 with long-term risks to the environ-
 ment, and 

(vii) that the International Save the Children 
 Alliance advised that hundreds of thou-
 sands of children are among those most 
 at risk in the crisis in Gaza with in-
 creased levels of chronic disease, 
 anaemia, diarrhoea and malnutrition in 
 children under 5 years of age;

(b) urges the Government to work with the 
 international community and parties to the 
 conflict to, as a matter of urgency:

(i) establish procedures to manage the 
 crossings and re-establish full humani-
 tarian and commercial access to Gaza,

(ii) enforce the full implementation of the 
 2005 Agreement on Movement and 
 Access, which was announced by the 
 United States Secretary of State, Con-
 doleezza Rice, in Jerusalem on 15 No-
 vember 2005,

(iii) develop a strategy that ensures the pro-
 tection of children and other civilians 
 in Gaza, while negotiations continue 
 for an end to the violence and a com-
 prehensive settlement of the conflict, and 

(iv) increase the levels of humanitarian aid 
 in Gaza to reflect the severity of need; and 

(c) considers that celebrating the 60th anni-
 versary of Israel’s statehood should not be 
 interpreted as endorsement of action that 
 gave rise to such crises or approval of the 
 failure to deliver peace and a separate 
 state for Palestinians, an objective that ap-
 pears less likely now than at any time in 
 the past 60 years.

Senator Ronaldson to move on the next 
 day of sitting:

(1) That the following matter be referred to 
 the Joint Standing Committee on Electoral 
 Matters for inquiry and report:

All aspects of the 2007 Federal Elec-
 tion and matters related thereto, with 
 particular reference to:

(a) the level of donations, income and ex-
 penditure received by political parties, 
 associated entities and third parties at 
 recent local, state and federal elections;

(b) the extent to which political fundrais-
 ing and expenditure by third parties is 
 conducted in concert with registered 
 political parties;

(c) the take up, by whom and by what 
 groups, of current provisions for tax 
 deductibility for political donations as 
 well as other groups with tax deducti-
 bility that involve themselves in the po-
 litical process without disclosing that 
 tax deductible funds are being used;

(d) the provisions of the Act that relate to 
 disclosure and the activities of associ-
 ated entities, and third parties not cov-
 ered by the disclosure provisions;

(e) the appropriateness of current levels of 
 public funding provided for political 
 parties and candidates contesting fed-
 eral elections;

(f) the availability and efficacy of ‘free 
 time’ provided to political parties in re-
 lation to federal elections in print and 
 electronic media at local, state and na-
 tional levels;

(g) the public funding of candidates whose 
 eligibility is questionable before, dur-
 ing and after an election with the view
to ensuring public confidence in the public funding system;
(h) the relationship between public funding and campaign expenditure; and
(i) the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.

(2) That in conducting the review the committee undertake hearings in all capital cities and major regional centres and call for submissions.

Senator Allison to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to prohibit disruptive advertising in SBS television programs, and for related purposes. *Special Broadcasting Service Amendment (Prohibition of Disruptive Advertising) Bill 2008.*

Senator Fielding to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to provide for product control and payment and refund of deposits in relation to certain drink containers in order to protect the environment, and for related purposes. *Drink Container Recycling Bill 2008.*

Senator Sherry (Tasmania—Minister for Superannuation and Corporate Law) (4.20 pm)—I table exposure drafts of the Wheat Export Marketing Bill 2008 and a related bill and I give notice that, on the next day of sitting, I shall move:

Senator Bob Brown to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918 to repeal provisions relating to group voting tickets and provide for preferential above-the-line voting, and for related purposes. *Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008.*

**LEAVE OF ABSENCE**

Senator Bartlett (Queensland) (4.21 pm)—by leave—I move:
That leave of absence be granted to Senator Stott Despoja from 11 March to 20 March 2008.

Question agreed to.

**BUDGET**

Consideration by Estimates Committees

**Meeting**

Senator Webber (Western Australia) (4.22 pm)—by leave—At the request of Senator Hurley, I move:
That the Standing Committee on Economics be authorised to hold a public meeting during the sitting of the Senate today, from 7.30 pm, to further consider the 2007-08 additional estimates for the Office of the Chief Scientist.

Question agreed to.

**NOTICES**

**Postponement**

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Milne for today, proposing a reference to the Economics Committee, postponed till 18 March 2008.

General business notice of motion no. 26 standing in the name of Senator Bartlett for today, proposing the introduction of the National Commissioner for Children Bill 2008, postponed till 12 March 2008.

**INDIGENOUS HEALTH**

Senator Allison (Victoria—Leader of the Australian Democrats) (4.23 pm)—I seek leave to amend general business notice of motion No. 17 standing in my name, relating to Indigenous Australians affected by trachoma.

Leave granted.
Senator ALLISON—I move the motion as amended:

That the Senate—

(a) notes that:

(i) among Indigenous Australians, blindness and visual impairment is significantly higher than in other populations,

(ii) most blindness and vision loss is preventable or correctable and for each $1 spent on eye care there is a $5 return,

(iii) trachoma is the most common cause of infectious blindness and Australia is the only developed country that still has blinding endemic trachoma:

(A) the study Surveillance report for active trachoma, 2006 for which Aboriginal children from most regions of the Northern Territory, Western Australia and South Australia were screened, showed prevalence rates of active trachoma of

16 per cent in rural Darwin,
30 per cent in Katherine,
21 per cent in Barkly,
18 per cent in Alice Springs Remote,
18 per cent in Nganampa,
18 per cent in Tullawon,
12 per cent in Pika Wiya,
18 per cent in Kimberley,
53 per cent in Pilbara, and
19 per cent in Western Australia's midwest and goldfields,

(b) rates of active trachoma are highest in young children and for children aged 0-5 who were for the most part not included in the survey and therefore rates could be expected to be higher,

(c) concerted trachoma control activities over the past 10 years have eliminated active trachoma in Morocco, Oman and Iran, and

(d) even in Niger, the poorest country in Africa, trachoma is being controlled by an active intervention program,

(iv) cataracts occur more commonly in Aboriginal people, and Indigenous Australians report vision loss from cataracts 50 per cent more commonly than mainstream Australia, and

(v) few Aboriginal people have access to refractive services, although 20 per cent of all children need glasses and there is an almost universal need for reading glasses over the age of 40;

(b) according to the Centre for Eye Research Australia, trachoma can be eliminated in Australia, vision loss substantially reduced and equality in eye health for all Australians achieved within 5 years with relatively modest financial resources;

(c) urges the Government to prioritise Indigenous eye health care by supporting:

(i) antibiotics for active trachoma, screening and programs promoting facial cleanliness, environmental improvement and trichiasis surgery for later stage trachoma to prevent irreversible blindness,

(ii) sustainable programs for screening for diabetic retinopathy and timely laser treatment,

(iii) regular eye examinations, and

(iv) up-to-date eye health data.

Question agreed to.

(Quorum formed)

MS INGRID BETANCOURT

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.28 pm)—I move:

That the Senate—

(a) notes that 23 February 2008 marked the 6th year that Ingrid Betancourt has been held hostage by the Revolutionary Armed Forces of Colombia (FARC); and

(b) calls on the FARC to release Ms Betancourt and all its hostages.

Question agreed to.
ECONOMY

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.28 pm)—I move:

That the Senate—

(a) notes the Reserve Bank of Australia’s concern about ‘significant inflation pressures’ and the Rudd Government’s call for wage restraint from Australian workers; and

(b) acknowledges that parliamentarians should lead by example in that wage restraint.

Question agreed to.

MINISTERIAL STATEMENTS

Australia-United States ‘Open Skies’ Agreement

Afghanistan

2020 Youth Summit

Review of Export Policies and Programs

Australia’s Ratification of the Kyoto Protocol

Senator SHERRY (Tasmania—Minister for Superannuation and Corporate Law) (4.29 pm)—On behalf of ministers, I table five ministerial statements and seek leave to have the statements incorporated in Hansard.

Leave granted.

The statements read as follows—

Australia-United States ‘Open Skies’ Agreement

Last week the Australian government successfully negotiated an open skies agreement with the United States. This development represents a watershed for trans-Pacific aviation. Under the new agreement, Australian and United States airlines will be able to fly an unlimited number of services between our two countries through any combination of other destinations. This agreement has been a priority for me and the government since our election last year. The agreement with the United States opens the way for increased competition, new services and the potential for lower fares on one of Australia’s most important air routes. The United States is Australia’s third largest aviation market, with 48 Australian and 17 US services weekly on the Australia-United States route. In 2007, nearly one million passengers travelled each way between Australia and the US—around 496,000 Australians departing for the US and 459,000 American arrivals in Australia.

Over the last 10 years, the Australia-US route has seen an average annual growth of 3.3 per cent, a figure with real hope of substantial improvement through this landmark open skies agreement. The Rudd Labor government is committed to opening further opportunities for Australian aviation, trade and tourism, resulting in the creation of jobs for Australians. Tourism is already responsible for around half a million jobs in Australia, and this agreement should help to further strengthen our tourism industry. The agreement allows airlines to determine how many flights they operate and the destinations they wish to serve in the United States and beyond, based on consumer demand and commercial decisions without interference from government. This enables a wider range of options for consumers and a more competitive market.

Previously, entrants were only guaranteed a start-up of four services a week, making it difficult for new airlines to commence operations on a commercial basis. The Australia-US agreement negotiated last week now opens the way for V Australia, the Virgin Blue subsidiary, to commence services from November this year. I am very pleased to advise the House that V Australia has confirmed that, with the signing of this agreement, they will now proceed to introduce 10 services a week to the US from the end of this year. V Australia is investing more than $2 billion in the purchase of six new long-range B777 aircraft. This is an investment in Australian jobs, Australian skills and opening up new markets for Australian companies. The agreement will provide certainty for Qantas and Jetstar to plan and grow into the future and widen the network of cities they can serve in the United States and beyond the US market. The Qantas Group currently operate 48 services a week on the Pacific route. They have indicated that this will increase to 51 services a week from March of this year. It also opens
greater opportunities for dedicated air freight services and greater access for Australian carriers to destinations in the US and beyond. The agreement has been welcomed by Australian airlines and the tourism industry. In a statement on Friday, 15 February, the Tourism and Transport Forum said:

The new arrangements will result in more choice and improved access for U.S. visitors, enabling the industry to more effectively market Australia’s tourism experiences in the USA.

Liberalising Australian skies and opening markets for Australian carriers will drive growth through competition and remove unnecessary regulatory burden on businesses. Aviation is a major industry in Australia and growth can only mean more jobs for Australian workers in the aviation industry and more choice for Australian consumers. Australia has been a longstanding leader in the benefits of liberalisation, and the international aviation sector has been no small element of the picture. Australia has extensive experience of the benefits of liberalisation. Following deregulation by Labor, our domestic market has gone from strength to strength. We now have one of the most competitive domestic aviation markets in the world. In recent years, we have seen the global growth of new low-cost international carriers. Jetstar and Pacific Blue are now adding to the range of competitive services available to and from Australia. The new generation of low-cost international carriers—Jetstar, Pacific Blue and foreign operators such as Tiger Airways and AirAsia X—will continue to build competition in the Australian market, offering cheaper fares and new options for tourists travelling to and from countries such as Singapore, Malaysia, Japan and New Zealand. The agreement concluded with the US will now enable a second full-service, long-haul Australian international airline. With V Australia’s entry into the lucrative Australia-US market, we anticipate a new dimension in competition on the route.

As an island nation with a significant tourism industry, the airline industry is a major contributor to Australia’s economy. Our tourism industry and our high-value, time-sensitive export industries depend on these links, supporting a whole raft of downstream industries. We need to make sure that we are maximising the benefits that a strong Australian based aviation sector can offer our country. This does not mean opening our skies while other countries keep their own markets closed. This would do nothing but allow other airlines to exploit our markets without allowing the Australian airline industry to compete. Australia is by no means the end of the world, but we are in many ways the end of the line in global transport linkages. Our position as an end-point destination leaves us with few competitive traffic rights to trade in order to gain access to valuable markets overseas. Beyond the realm of air services agreements, broader commercial settings in other countries, such as government subsidies and support, bankruptcy protection and divergent tax regimes, create further market distortions. These accentuate the competitive advantages many foreign airlines enjoy, compounding their geographic advantages over end-point Australian carriers.

Unlike most sectors, the trade in air services is closed until governments act to open the market. The new Rudd Labor government will drive an active strategy to further liberalise the aviation sector, seeking cooperation with like-minded partners. In a system of unbalanced economic advantage, we must take a pragmatic approach to our liberalisation strategy, acting in the overall national interest. We will aim to reduce restrictions which limit growth while ensuring that the Australian industry can compete with international operators on a balanced playing field. We are committed to growing Australian based international airlines, as aviation is our critical link to the rest of the world. Importantly, as government removes unnecessary economic regulation and opens our skies, we must ensure that safety and security are not compromised. All new services must continue to meet the requirements of the Civil Aviation Safety Authority and security agencies to keep our skies safe and secure.

Since my appointment on 3 December last year, I have met with the CEO of Qantas, Geoff Dixon, and the CEO of Virgin Blue, Brett Godfrey, to consult on the details of the proposal. On 5 February, I welcomed the US ambassador, His Excellency Robert McCallum Jr, and economic counsellor Edgard Kagan to Parliament House for discussions on the proposal. I want to place on record the government’s thanks to the US ambas-
sador for his active support of the deal. I am proud to commence my term as Minister for Infrastructure, Transport, Regional Development and Local Government with this success in the United States. I thank my colleagues the Minister for Tourism and the Minister for Trade for their support. I would like to congratulate the officials from my department and Australia’s embassy in Washington who worked so hard to negotiate this deal, in particular, Mr Stephen Borthwick, Australia’s lead negotiator, and his team.

This agreement also demonstrates the strength of the Australia-US relationship. The United States is one of Australia’s most important economic partners, and the agreement will provide great opportunities for increasing trade and commercial links between our two countries. Just as important is the recognition that the strength of our relationship is based upon the personal interaction of our citizens. The increasing two-way travel between Australia and the United States which will derive from this agreement will have a long-term benefit in increasing understanding and friendship between our two great nations. More broadly, this agreement on one of Australia’s most important air routes signals the next step in growth not only for Australian aviation but also for our tourism and business sectors.

Afghanistan

The war in Afghanistan is at a crossroads and the time for making difficult decisions is upon us. For the global community the stakes are high. For the Afghan people, they are even higher.

When we gather in Bucharest in April, the partners to the Afghanistan project need to embrace a new strategy to win. To win not just the military battle, but the battle for the hearts and minds of the Afghan people. Broadly, there are five keys to winning the military campaign.

The first is reaching agreed and common campaign objectives. The second is securing a coherent campaign plan. The third is clarifying chains of command and lines of responsibility. The fourth is securing new NATO troop commitments. The fifth is growing the Afghan National Army and the Afghan National Police Force to the critical mass and skill level they need to hold our military gains and to enforce the rule of law in their war torn country.

Winning the hearts and minds of the local population will require the partners to do more on the non-military side. First, we must do more to build an economy free of narcotics. Second, we must do more to provide guidance and assistance on governance issues. And, third, we must focus more acutely on the establishment of a justice system not so vulnerable to corruption and manipulation.

In short, it is about giving the Afghan people hope, hope that a democratic Afghanistan can deliver for them a decent society and a decent standard of living.

It is appropriate to acknowledge that, on both the military and non-military fronts, significant gains have been made. We have enjoyed some success in targeting insurgent leadership and we have disrupted their coordination and lines of command.

Six million Afghan children are now receiving an education and 80 per cent of the population now has access to basic health care. But so much more needs to be done.

Today I am able to inform the House, the Australian community and the wider global community that the new Australian government has taken a number of decisions which will demonstrate we are willing to back our criticisms of the Afghanistan mission with real and meaningful action.

The government has decided to adjust Australia’s defence contribution in Afghanistan. While maintaining our engineering and security effort, we intend to increase our focus on training.

This means the Australian government has decided to maintain our current level of military commitment to Afghanistan, but to increase the focus on training and mentoring of the Afghan national army.

We are making these changes with an eye on the longer term future of the country, noting that the government of Afghanistan needs to be able to develop the security forces which will provide the security for their own citizens into the future.

The adjustments to Australia’s military commitment will be focused on enhancing the capabili-
ties of the Afghan national army while retaining our reconstruction and combat effort in Oruzgan. Based on both our reviews and consultation with our partners, the new government believes the time is right for Australia to evolve the role of its forces so that the additional task of training the Afghan army can be embraced and adopted.

This will be achieved by providing an Operational Mentoring and Liaison Team which will be responsible for the training of an Afghan national army battalion which will shortly commence operations in Oruzgan province.

The introduction of this training team will be an important step in assisting the development of the Afghan security forces. As part of the broader effort of our Dutch partners, the Australian training team will commence operations later this year. The core of the Operational Mentoring and Liaison Team will be highly skilled officers and senior non-commissioned officers with experience in infantry operations. The team will also include integral force protection troops and assets.

The training team will be embedded with an Oruzgan based Afghan national army battalion—commonly known there as a Kandak—which normally consists of around 600 soldiers. The Australian Defence Force personnel will mentor and advise key commanders within the Kandak during both training and operations. The mentoring and training team will assist the Kandak Headquarters in military operational necessities such as logistics and personnel management, force protection planning and coordinating combined operations.

The commitment of the Operational Mentoring and Liaison Team will help rebuild the security institutions of the Afghan government, particularly in the Oruzgan province.

The training team will develop the skills of the Afghan security forces to enable them to do the job that is currently being undertaken by coalition forces. The need for this shift in focus is well recognised by the international community.

ISAF’s operational mentoring and liaison teams have been operating successfully with the Afghan army throughout the various provinces in Afghanistan. Given this success, the international community is increasingly moving towards providing greater training to the Afghan national security forces through these teams.

While this adjustment to our military commitment will not result in an increase in the number of troops that we have deployed in Afghanistan, Australia will maintain all of its current force elements including the Reconstruction Task Force, the Special Operations Task Group, the Rotary Wing Group and the Control and Reporting Centre.

The Reconstruction Task Force will continue to make its important contribution to the reconstruction and security of Oruzgan province. It will retain a construction and security capability as well as continuing to manage the trade training school and provide project management experience to assist the people of Oruzgan in rebuilding their province.

The Special Operations Task Group will also continue its work in providing security for the province by taking the fight directly to the insurgents. This work creates a more secure environment for the international community and the Afghan government to deliver development assistance in the Dutch and Australian supported province of Oruzgan. Further, the Rotary Wing Group and the Control and Reporting Centre, based in Kandahar, will continue to provide vital air transport and battle airspace management for the international community’s efforts in southern Afghanistan.

In addition to the initiatives that I have announced today, the government will soon announce an enhancement of its efforts on the non-military side of the equation.

The government remains firmly committed to international efforts to stabilise and rebuild Afghanistan. As I noted earlier, a strong, highly trained and competent Afghan national army will be critical for the future security of the country.

Australia’s continued military commitment to Afghanistan and its ongoing participation in the International Security Assistance Force mission reflects the critical role a stable Afghanistan plays in regional and international security. Australia has a direct interest in working with our international partners and the Afghan government to ensure that the country does not again become a
base for terrorist activity. Australia remains committed to working with the government of Afghanistan to improve governance and security and to develop its capacity to deliver improved services to its citizens.

I look forward to working with our ISAF partners in Bucharest and beyond to deliver a safe, secure and stable Afghanistan.

2020 Youth Summit

One of the key messages that I heard while on the campaign trail in the lead-up to the most recent election was that Australians want their governments to think beyond their term of incumbency. This call is not a new one. For some time I have been aware that frustration about short-term thinking has been growing in the community.

The consequences of that short-term mindset now have us a decade further down the track hurtling towards challenges such as climate change, water management concerns, skills shortages and housing affordability crises, to name but a few. We are charged with the responsibility, therefore, of ensuring that we now build a modern Australia to tackle the challenges of the future. We recognise that in doing so we bear an important accountability to future generations for the decisions that we make today. Because we are a government that recognises that the entire repository of wisdom and insight about how to respond to those challenges does not solely rest with us, the Prime Minister is calling together 1,000 of the nation’s best and brightest minds for the Australia 2020 Summit on 18 and 19 April.

We realise that the nature and magnitude of the challenges before us require the ingathering of the particular genius of the breadth and depth of the Australian community. This is fresh new thinking. A crucial component of the genius that will be required to find ways to tackle these challenges and shape the future effectively is to be found in young Australians.

We are a government—and I intend to be a minister—that not only talks about the fact that young people are our nation’s finest resource but actually taps into that resource and engages young people in the discussion about what they want their future to be like. That is why I was proud to announce earlier this week that I will be hosting a Youth Summit on the weekend immediately prior to Australia 2020. The Youth Summit will be a dedicated two-day summit held on 12 and 13 April in Canberra ahead of Australia 2020. The summit will bring together 100 young people, 15 to 24 years of age, in discussions on the same critical areas as Australia 2020.

It has often been the case that young people’s participation in decision making is limited to discussion about what are perceived to be youth issues. But what I and this government realise is that the issues that young Australians are faced with and concerned about are whole-of-community issues. Indeed, when we ask young people for their views and visions, invite their insights and seek their proposed solutions, we realise that this generation of young Australians have a unique grasp of the challenges ahead and a particular experience of life that enables them to come up with solutions that we might not have otherwise considered. When we involve them, we find that they very often possess the new thinking so urgently required. My hope and expectation is that the group of 100 young Australians gathering on 12 and 13 April in Canberra will offer precisely this.

A dedicated Youth Summit demonstrates the government’s commitment to young people being at the table when long-term challenges are discussed. Young Australians are already contributing to addressing these challenges now and will inherit full responsibility for them in the future. This event shows that the government understands the fundamental importance of involving young Australians because they will be the parents, business leaders and community leaders inheriting the consequences of decisions made today.

But it is important to emphasise that the Youth Summit is not about tokenism or conveying an impression of participation. The Youth Summit will feed in a very real way into Australia 2020. The Youth Summit program will reflect the Australia 2020 program. It will produce a brief, overarching communique to the Australia 2020 summit and an attachment to the communique presenting three key youth perspectives on each of the Australia 2020 challenges. Indeed, it is in-
tended that the energy, ideas and visions generated at the Youth Summit will become a catalyst for the discussions which follow at Australia 2020. Ten of the summit participants, along with the Youth Summit co-chair, former Young Australian of the Year Hugh Evans, will go on to participate in Australia 2020 the following weekend.

I am delighted that Hugh Evans has accepted the invitation to co-chair the Youth Summit with me. Working on something like Youth 2020 is a natural extension of the work Hugh Evans has been doing all of his life. He established the Oaktree Foundation, Australia’s first entirely youth run and youth driven aid and development agency, which is now providing more than 1,000 people with a chance of getting an education for the first time in their lives. He also established the Youth Ambassadors program with World Vision and he was the first ambassador in the program. He is a passionate advocate for young Australians. Hugh cares about making a difference and takes every opportunity to ensure that young Australians’ voices are heard. Just referring to the biography on Hugh Evans’s website makes it perfectly obvious why we have invited this young man to help lead the summit:

At just 23 years of age, Hugh Evans is dedicating his life to helping the most underprivileged people in this world.

Hugh’s passion for helping others began when he was 12 years old and became involved in World Vision’s 40-Hour Famine. He started organising the Famine at his school and personally set himself very high targets. Over the next few years, his school became the highest fundraising school for the 40-Hour Famine in Australia. At age 14, a sponsored trip to the Philippines to see World Vision’s work first hand impacted Hugh’s life immensely. Sleeping in a slum, Hugh witnessed an entire community built around a garbage dump and saw children scavenging and dying around him. It was a turning point in his life.

This experience led him to found The Oak Tree Foundation, Australia’s first entirely youth-run and youth-driven aid and development agency. With over 250 volunteers under the age of 25, it is a movement of young Australians who seek to empower developing communities through education in a way that is sustainable.

“I stand for providing people in the developing world with greater opportunities and I think that a critical part of that is education and how important education is in empowering developing communities.”

In its first year, Oak Tree raised over $100,000 to develop a community resource centre in the Valley of Embo in South Africa. This centre now provides more than 1,000 people with the opportunity to receive education for the first time in their lives. Sustainability is important to Oak Tree. This means the projects undertaken have to be owned by the community, run by the community and ultimately working to enhance the community.

Hugh believes young people can do anything given the opportunity. The Oak Tree Foundation “provides an avenue for many other young Australians to also make a difference in this world”. Young people are encouraged to use the gifts they already have and what they are already passionate about to serve the poor.

Hugh also established the Youth Ambassador Program with World Vision, which enables young people to go and see the work and participate themselves. Following its approval, Hugh travelled to South Africa as World Vision’s first Youth Ambassador.

A passionate humanitarian, volunteer and youth leader, Hugh remains humble. He believes people see him as “someone who can act as a representative of young Australians, of Australians that actually want to be out there in the world doing something really good. I am someone who really cares about making a difference in the developing world so if that is what I can be seen as, then that’s cool.”

Hugh’s sincerity, humility and genuineness are what have inspired so many people, young and old, to work towards helping those less fortunate. He is an inspiring individual.

Youth Summit participants will be selected through a public call for nominations. The selection process will ensure suitable demographic representation, including Indigenous representation. People with disability and people from culturally and linguistically diverse backgrounds are encouraged to apply. The selection process is also
designed to make sure that Youth 2020 includes young Australians from regional and metropolitan areas across all the states and territories. The website Australia2020.gov.au has been set up containing information and a mechanism for online nominations. There is a dedicated Youth Summit section on the site. In the two days since the Youth Summit was first publicly announced, the department has already received over 200 requests from young people asking for nomination forms. A 2020 steering committee of five young Australians will make recommendations on delegates for the summit.

It is also important to note that the Youth Summit is occurring within the context of the government’s broader commitment to establish an Australian Youth Forum. I have previously conveyed to the House that one of my priorities this year is to engage with young people and the youth sector, seeking their input on the formulation of a framework for the AYF. The Youth Summit will provide a key opportunity for me to speak directly with 100 young Australians as part of that consultation process. Indeed, the AYF will be formally on the agenda for discussion during the Youth Summit program.

I am proud to be a member of a government that recognises that young people’s perspectives, views and visions are valuable and worth listening to and acting on. I am proud to be part of a government that knows that young people are not just our future but also an important part of the present. I am proud to be Minister for Youth in a government that recognises that our present-day decisions and actions will impact on the future lives of today’s youth. And I am proud to be a member of a government that not only commits to give young Australians a voice but intends to work in partnership with them in shaping the future.

Review of Export Policies and Programs

I remind the House that during the election campaign Labor made a commitment that if elected to govern we would undertake a comprehensive review of all existing trade policies and programs, a review that would be aimed at positioning exporters and the nation to take maximum advantage of the ongoing resources boom but, more importantly, to develop the full export potential of all sectors of the economy, including agriculture, industrial goods and services.

I am pleased to announce to the parliament today the details of that review.

The review is essential because the previous government squandered the opportunity provided by the resources boom to position Australia for a sustainable economic future.

I remind the House also that under the last Labor government we got the trade and economic policy mix right.

We opened up the economy, we floated the Australian dollar, we cut tariffs, we deregulated the financial sector, we introduced wage restraint through the accord and we also locked in, through that accord mechanism, the low inflation and low interest rate environment that until recently has been experienced in this country. We introduced national superannuation, the greatest intergenerational policy reform of this country in retirement income reform, we developed national competition policy, significant cuts to company and personal tax and greater independence of the Reserve Bank.

All of those measures, which are integrated components aimed at improving our export performance amongst other things, achieved strong productivity growth in the 1980s and 1990s. In fact, as a result of the deregulated wages system and enterprise bargaining that we introduced under the accord, this country experienced the greatest step-up in productivity in the history of this country. What we did through that mechanism by linking wages to productivity, linking it to enterprise and linking it to our export sector contributed much to the double-digit growth in Australia’s exports and to lowering inflation.

In contrast—because this is the whole point of those opposite who say that they presided over good export growth under their watch—under the last six years of the Howard government, despite a resources boom, total export revenues grew at an annual average rate of only 5.8 per cent compared with 10.7 per cent in the 18 years following the float of the dollar in 1983. Goods exports grew at an average annual rate of 6.4 per cent compared with an average growth of 10.3 per
cent since 1983. Service exports grew at about a third of the long-term average, and manufacturing exports collapsed under the government in the last six years, growing only three per cent compared with 13 per cent since 1983.

What did all this result in? It resulted in a trade deficit for more than five consecutive years and a trade deficit for the December quarter 2007—their parting gift as they went out of office, rejected by the Australian public—of $6.9 billion, which is the worst quarterly trade deficit on record. It resulted in 69 consecutive months of goods and services trade deficits; a current account deficit at record levels, around six per cent of GDP; soaring foreign debt of $554 billion in 2006-07; and net exports making a positive contribution to Australia’s economic growth in only two of the 11 years that that government was in office.

Contrast that with when Labor was in office for 13 years. Net exports made a positive contribution to growth in 10 of those 13 years without the resources boom compared with the Howard government’s failure with a resources boom. Despite the strongest growth in the world economy in more than 20 years, the value of Australian exports actually slowed under the Howard government, particularly in recent years. Export values grew by four per cent in 2007 compared with 18 per cent in 2006 and 15 per cent in 2005.

That is the appalling trade performance that we inherited—the trade performance bequeathed by the Howard government to this nation.

The former government believed that it could coast along on a resources wave. It squandered the opportunity presented by that resources boom. It failed to invest in the drivers of economic growth, in particular in skills, innovation and infrastructure.

It failed to develop an integrated trade and economic policy to secure our future beyond the resources boom.

It is a sorry story and, like so much of the Howard legacy, a squandered opportunity.

It is time to take action to restore Australia’s trade performance to ensure it once again becomes a contributor to economic growth and sustains us beyond the resources boom.

The Rudd government is committed to a new trade policy to restore Australia’s level of productivity, international competitiveness and export growth. This will be achieved in the context of the twin pillars approach for sustainable economic growth—that is, trade liberalisation at the border to be complemented by economic reform behind the border to maximise opportunities for our export sector.

In this House on Monday in response to a question I outlined why the first pillar is so important—that is the pursuit of trade liberalisation at the border via the WTO Doha development round.

It is because over the past five years—and without a Doha conclusion—world trade has grown at twice the rate of growth in world output.

The message is clear: if we can get growth in world markets through the trade liberalisation agenda we will create the environment for sustained economic growth.

That is important not only for Australia but for the international economy.

We are at a time when there is considerable uncertainty about the direction of the global economy.

However, a successful outcome to the Doha development round—and I repeat what I said on Monday: that it will be terribly difficult but, in my judgement, it is doable—will provide a much needed confidence boost and help to restore some certainty to the current uncertain outlook.

Labor will seek to complement trade liberalisation gains derived from the multilateral process at the regional level via APEC, ASEAN Plus Six and other fora that may arise—that we refer to as WTO Plus.

At the bilateral level comprehensive FTAs can then enhance the liberalisation measures further—that is, WTO Plus Plus.

So the Rudd Labor government has recalibrated Australia’s trade liberalisation policy back to where it should be for this middle sized country.

The Howard government, when it was in office, reversed the order. It put its eggs in the basket of free trade agreements. It put all its eggs in the basket of the FTAs, squandering the opportunity
to achieve substantial gains for Australian industry by making a real commitment to the Doha round. By way of interpolation, I hear that the Leader of the National Party involved sold out his constituency by agreeing to sugar being excluded from the US-Australia Free Trade Agreement. What sort of negotiating ineptness was that! The previous government also squandered the opportunity provided by Australia’s unique position, as Chair of the Cairns Group, to be front and centre in the world trade talks. Instead, it was prepared to take a back seat and let others squeeze Australia out.

So this government will make the Doha negotiations our central trade priority—as they should be—but complemented at the regional and bilateral level by the other liberalisation fora.

It will be through this framework that we will achieve the best commercial outcomes for Australia’s agriculture, industrial goods sector and services sectors.

The second pillar to which I refer is trade liberalisation behind the border.

There is no point in getting market access if you are not competitive and productive enough to take advantage of it.

This is where the trade policy review will play such an important role.

The review represents the government’s determination to develop an integrated approach to trade policy and ensure it is part of the broader economic policy settings.

That is education, skills training, industry, innovation infrastructure and IT policy are all critical in complementing our trade policy to ensure that behind our border we are maximising the gains from trade liberalisation and taking full advantage of the access at the border.

We must aim for all arms of policy to work together to drive productivity growth, enhance our level of international competitiveness and improve our export performance.

This is vital to ensure our trade performance once again becomes a strong contributor to Australia’s economic performance—a positive contributor also to sustaining our economic growth beyond the resources boom.

The government wants the review to assess the challenges and develop a strategic, whole-of-government approach to advancing Australia’s international economic and commercial interests.

The review will bear in mind the government’s desire to optimise the overall economic performance of the Australian economy through productivity gains and deeper integration of the Australian economy and business with the global economy.

I am delighted that Mr David Mortimer AO, Chair of Leighton Holdings and Australia Post has agreed to chair the review.

Mr Mortimer has a strong record of achievement in business and is ideally suited to lead the review.

I am also delighted that Dr John Edwards, Chief Economist of HSBC Australia, will work with David Mortimer on the review.

Dr Edwards has worked and written extensively on economic and trade policy issues including on ways and measures required to improve.

The review will examine export policy and programs across all government portfolios and agencies and their linkages to state and territory programs. It will cover goods, services and investment.

The review will make an assessment of the challenges and opportunities currently facing Australian exporters and international business. In making this assessment, the review will examine:

(a) Australia’s export performance over the past two decades, identifying factors that are inhibiting export performance, domestic productivity, productive investment flows and international competitiveness;

(b) the extent to which Australia’s trade policies adequately reflect Australia’s interests in the contemporary global economy; and

(c) the coverage, coherence and effectiveness of current trade development services and programs, and the extent to which they adequately address the needs of exporters, importers and investors.

The review will make recommendations on any of the issues identified, including:
(a) measures required to improve export performance, including the relationship with domestic policy settings and productivity-enhancing policies;
(b) measures which will improve the capacity of new and existing exporters to expand their export base and take optimal advantage of the expansion and evolution in international trade and investment;
(c) measures to encourage more small businesses to begin exporting or to expand their export operations;
(d) measures to promote an improved services export performance, including financial services;
(e) policies and programs that will promote high value added exports, enhanced levels of productivity and improved international competitiveness;
(f) measures to expand market access opportunities for Australian exporters of goods and services; and
(g) measures to promote a more concerted and coordinated national approach to lifting export performance.

Under existing legislation, the government is required to initiate a review of the Export Market Development Grants (EMDG) Scheme by 2010. Given the integral role of the EMDG scheme in the current mix of export policies and programs, I am proposing that the EMDG review be brought forward and be undertaken as part of this broader review.

The overall review will consult widely with stakeholders and will be calling for public submissions.

The secretariat supporting the review panel will be based in the Department of Foreign Affairs and Trade.

Given the whole-of-government approach that the review will be taking, the secretariat will draw on expertise from other government departments.

The review will be completed by 31 August 2008 as outlined in the terms of reference.

A separate research project on Australia’s approach to free trade agreements will be undertaken in parallel with the export policies and programs review, and its results will be incorporated in the review’s final report.

This research will analyse Australia’s most recent free trade agreements (FTAs) to assess their net benefits and include a comparative analysis of Australia’s FTAs with those concluded by other countries.

The research will ensure that any future FTAs strengthen the WTO multilateral trade system, including through the development of benchmarks for any future agreements Australia may negotiate, and will provide greater benefits for Australian exporters.

The research on FTAs will be conducted under the leadership of a reference group of experts, specifically:
- Professor Kym Anderson, Professor of Economics at the University of Adelaide;
- Dr Andrew Stoler, Executive Director of the Institute for International Trade;
- Peter Gallagher, Managing Director of InQuity, and formerly CEO of the Australian Dairy Council; and
- Dr Nicholas Gruen, CEO of Lateral Economics.

I said at the outset that the previous government bequeathed to Australia what may well be Australia’s worst trade performance ever recorded for an Australian government, a trading performance where net exports detracted from economic growth for nine of their 11½ years.

And that was at a time of historically high levels of global economic growth and a resources boom driven in large part by China and India.

It is a sad indictment of the Howard years that despite some of the most propitious times in recent history they were not able to get our trading performance onto a more sustainable footing.

Once again, it takes a Labor government to provide the strategic injection and framework to maximise the global opportunities for Australian business.

The review will build on the twin-pillars approach to sustainable economic growth.
And it will provide advice on the development of a comprehensive, integrated approach to trade and economic policy that Australia now needs for the 21st century. I commend the statement to the House.

Australia’s ratification of the Kyoto Protocol

Today marks an important step forward in building a modern Australia, ready to face the challenges of the future.

Climate change is one of the greatest challenges that Australia faces for the future; it is one of the greatest challenges that the world faces for the future.

It is an immense economic challenge.

An immense environmental challenge.

And an immense moral challenge as well, with its greatest impacts falling on those who can least afford it.

No individual nation can solve the immense challenge of climate change alone. It requires the hard work of international engagement and cooperation.

From today, Australia officially becomes part of the global solution on climate change – not just part of the global problem – because from today, Australia’s ratification of Kyoto enters into force.

After being sworn in as Prime Minister on December 3 last year, I signed Australia’s instrument of ratification in December as the first act of the new government.

I handed the instrument of ratification to United Nations Secretary General Ban Ki Moon on December 12 in Bali.

Under Kyoto rules there is a mandatory 90 day waiting period before it comes into force.

Those 90 days have passed. Australia’s ratification of the Kyoto Protocol has now come into force today.

Australia is now sending a clear signal to the world that we are taking responsibility on climate change.

Ratifying Kyoto has put Australia back on the map.

We have a full seat at the table. For the first time we are a full negotiating partner in all key international forums.

Release of report

One of the government’s obligations under the United Nations Framework Convention on Climate Change (UNFCCC) is to submit a report that demonstrates how Australia is able to measure the reductions in emissions that are required under Kyoto.

The deadline for this report is twelve months from the date that ratification comes into effect – that is, 11 March 2009.

The government is pleased to announce that we are submitting Australia’s ‘Initial Report under the Kyoto Protocol’ – today, 11 March 2008 – one year ahead of its deadline.

I am tabling this report in the House today.

The Initial Report outlines the measures we are using to calculate our emissions levels.

And it also outlines the critical role of the National Carbon Accounting System in measuring emissions from land use, land use change and forestry.

We have taken this a step further by announcing agreements to share this technology and system regionally and globally - all part of taking responsibility to help shape a global solution.

Last week I visited our regional neighbours Papua New Guinea and discussed the challenge of climate change with Prime Minister Michael Somare.

As part of the government’s new Pacific Partnerships for Development, we will embark upon a PNG Australia Forest Carbon Partnership.

This will involve assisting PNG in developing their carbon monitoring and accounting capacity to underpin participation in global carbon markets.

Australia’s National Carbon Accounting System will be an important element of the Forest Carbon Partnership.

The government has also announced a partnership with a range of international organisations (including the Clinton Foundation) to take the National Carbon Accounting System global.
This reflects the kind of technical leadership that Australia can provide in tackling climate change on a global level.

Tracking to the Kyoto Target 2007
I am also tabling a second report today, the Tracking to the Kyoto Target 2007 report.
This report reflects the fact that the policy commitments of this government will begin to reduce our greenhouse gas emissions.

By increasing the use of renewable energy, we will trigger much greater emissions reductions in the longer term than had been forecast in 2006, under the previous government.

This report shows Australia’s greenhouse gas emissions under this government’s policy settings are now projected to be 108% of the 1990 levels over the period from 2008 to 2012.
This is equal to Australia’s Kyoto target.

Under the previous government’s policies, the projections showed that Australia would be around 6 million tonnes off our target.
This is equivalent to the annual emissions of around 1.2 million cars.

Decisive action on climate change
We recognise that ratifying Kyoto was just the first step and much more needs to be done.

The Australian government has a comprehensive plan for responding to climate change based on three pillars – reducing Australia’s greenhouse gas emissions; adapting to climate change that we can’t avoid; and helping to shape a global solution.

We will implement a system of emissions trading which will place a limit – or a “cap” – on the emissions we will allow to be produced. Emissions trading will make us responsible for the greenhouse gases we put into the atmosphere.

We have also announced that 20 per cent of Australia’s electricity supply will be sourced from renewables by 2020.

The COAG Working Group on Climate Change and Water is working to bring together state and federal renewable energy targets.

A nationally consistent renewable energy target would stimulate much needed investment in clean energy to reduce greenhouse emissions.

We are committed to working towards a post-2012 agreement for addressing climate change and reaches an agreement on a long-term global goal for emissions reduction.

To support our efforts in the UN negotiations, the government is also working through the US-led Major Economies Meetings process, the climate change forums under the G8, and engaging in strategic bilateral dialogue with key countries.

Conclusion
Confronting the challenge of climate change is the challenge of our generation.
It is an immense challenge.

But with decisive action we can turn challenge into opportunity.

We have made a start. But there is a long way to go.

We can be a leader in our response to the threat of climate change. And by getting on the front foot, we can build a modern economy that seize the opportunity of new, low-carbon energy industries and technologies.

Ratifying Kyoto was just the first step. This government is committed to taking responsibility by tackling climate change.

Being part of the global solution to climate change is an important step forward in building a modern Australia.

I present a copy of the report.

Afghanistan

Senator MINCHIN (South Australia) (4.29 pm)—by leave—I move:

That the Senate take note of the document.

As shadow minister for defence, can I say that the opposition welcomes the ministerial statement with respect to Afghanistan. We welcome the new Rudd Labor government’s strong commitment to the ADF operations in Afghanistan. This is an extraordinarily important mission that was, of course, initiated by our government. We welcome the fact that when it was initiated the then Labor opposition provided strong support for that initiative. While our two parties had differed
over the question of our involvement in Iraq, I think it is very pleasing, refreshing and important for national security and for the global fight against Islamic terrorism that there is bipartisanship in this country on the question of our active involvement in the mission in Afghanistan.

This is an extraordinarily risky and dangerous mission for our Australian personnel, who now number some 1,000 in total. I think the Senate should note and commend the fact that our troops are doing an extraordinarily important job in this very dangerous country. They need to know that they are doing a very important job and they need to know that we understand how well they are doing their job. They need to know how much the international community supports Australia being there, how valuable that contribution is and how well recognised that is.

The key point that was made in the ministerial statement was to inform the parliament of the creation of what is described as an operational mentoring and liaison team—in defence shorthand, an OMLT. The ministerial statement was remarkably thin on detail about this team and its impact on the overall numbers in Afghanistan. We are informed in the ministerial statement that it would not have any effect on our overall numbers, with no detail as to how that was to be achieved. The institution of the Senate estimates process enabled the opposition to have the CDF, Air Chief Marshal Angus Houston, inform the Senate estimates committee that this new OMLT will effectively replace one of the engineering teams that we have had as part of the Reconstruction Task Force in Afghanistan. We support that adjustment and we support the very critical role that the mentoring and liaison team will provide as part of our commitment to training the Afghanistan military to secure their own country. That, obviously, must be the objective of this exercise: to ensure, as soon as we effectively can, that the Afghan people are able to maintain their own national security.

The coalition supports this ministerial statement, but I want to take this opportunity to voice my considerable concern about the rather clumsy attempts by the new defence minister, Mr Fitzgibbon, to play politics in a cheap fashion with this Afghanistan operation. He has been discussing what is a bipartisan position: that Australia should have greater access to and involvement in NATO’s wider strategic thinking with regard to Afghanistan. It is a good reminder that this is now a NATO exercise. I should inform the Senate that our government was working very hard to ensure that Australia had the highest level access to the wider strategic thinking on Afghanistan of NATO, of which of course we are not a member.

Where I think Mr Fitzgibbon erred very badly, and where he showed that he still has his training wheels on, is that he sought to use this effort to effectively criticise our government for endangering our troops in the first place by sending them to Afghanistan without the necessary intelligence and information. That was the obvious implication and import of his statements with respect to the level of information that we were receiving from NATO with regard to the Afghanistan mission. That was a quite unforgivable misrepresentation of the position and something he ought to retract. It was an outrageous and fallacious allegation: the suggestion that our government would have sent our personnel into a very risky war zone without the requisite and necessary intelligence and information to enable us to have confidence in their capacity to carry out their mission. It was a cheap and pretty pathetic attempt to politicise that operation. To make such an accusation should be beneath any decent defence minister in this country. It is totally untrue and it was shown to be so by no less a person than the CDF, Air Chief
Marshal Angus Houston, at Senate estimates. CDF Houston affirmed that the ADF had all the requisite information in supporting, planning and carrying out this mission. From an operational perspective, we had everything we required to ensure that our troops could go to Afghanistan with a degree of confidence about their mission’s objectives, with the capacity to achieve those objectives and with a proper risk assessment of the situation they faced.

There are two different concepts here. One is the wider strategic thinking as to the overall strategy in relation to Afghanistan: how we ensure that the Taliban do not regain control of this country and that Afghanistan has a chance to establish a peaceful, effective democracy. On the other hand, there is the operational information required to ensure that the troops can carry out their task on the ground. They are two different things. Mr Fitzgibbon deliberately sought to confuse the two in a quite reprehensible manner. It is a reflection on Mr Fitzgibbon’s unfortunate tendency to play cheap party politics with defence. He is attempting to do that with the very complex and difficult task of managing multibillion dollar defence acquisition projects. He has inadvertently insulted the thousands of men and women in the Defence Materiel Organisation by his wanton slurs upon the state of those projects. He has done so in relation to our former government with respect to NATO’s wider strategic thinking. We support Mr Fitzgibbon’s attempts to ensure that NATO gives us access to that wider strategic thinking, but for him to go on and say that our lack of access in the past has had anything to do with endangering our troops is reprehensible. This is far too serious and far too important a matter for Mr Fitzgibbon’s childish games and political point scoring.

In conclusion, I affirm that we support the statement. We welcome the bipartisan views with respect to Afghanistan. In particular, I want to place on record the opposition’s profound thanks to the men and women who are serving their country by their involvement in the Afghanistan mission. They are doing a dangerous job but they are doing it extraordinarily well.

Senator BARTLETT (Queensland) (4.37 pm)—The Democrats also welcome this statement. It is pleasing to see ministerial statements being tabled in the parliament—there are four or five of them here—rather than simply being released at a press conference. I hope that signals a return to the parliament being a chamber of debate about issues, and significant statements put forward and released by ministers. I would also like to specifically put on the record the Democrats’ continuing acknowledgement of the contribution made by our ADF personnel in Afghanistan, and indeed everywhere around the globe. It needs to continually be said that, even though there are always differing public views about where troops should and should not be deployed, we should not let that debate spill over into antagonism towards the personnel, who should always be supported. The Democrats reaffirm our position there.

I did not oppose Australia contributing to an international effort to overthrow the Taliban back in 2001. I and the Democrats said at the time that getting involved in an unwise and illegal action in Iraq diverted not just troops and resources but political will and international attention away from finishing what needed to be done in Afghanistan. As we all know, that action in Iraq went ahead anyway and some of the concerns that people raised at the time have borne fruit, sadly. But that is not to say that the only reason why things are still difficult in Afghanistan—and indeed, according to some reports, in some areas things have deteriorated in various
ways—is all to do with the fact that the Iraq war happened. People can have that debate separately, as they do.

But I believe that it is time for us to re-examine the wisdom of not just an ongoing Australian military presence but also an ongoing Western military presence in Afghanistan. In the context of this debate, we are looking at the Australian military presence in Afghanistan. In saying that, my personal view in regard to that is that there is no easy answer to this. It is not like withdrawing troops would allow peace and sunshine to descend immediately upon that area and the many suffering people who are living in Afghanistan. But there are still legitimate questions that should be raised about whether continuing down the path that we are on is the best choice. While no path will provide easy short-term solutions, there are other paths that are more likely to produce positive outcomes in the medium to long term than continuing down the path of the ongoing military presence of Australian and other forces.

In saying that, I am in part influenced by a lot of the debate by many experienced strategists, particularly in parts of Europe. I note that some very significant comments were made by Paddy Ashdown, among others. He was at one stage going to be playing a significant oversight role and ended up not doing so for what seemed to be mostly political reasons. People such as he, with very significant expertise and experience, are highlighting the problems with the path that we are continuing down at the moment. To paraphrase comments by him a couple of months ago, while you can fight modern high-tech wars and win them in one sense very quickly—and that occurred with regard to overthrowing the Taliban; that was done very quickly—building a new stable nation state takes decades. He suggests that Afghanistan is a 30-year project and that it requires more troops than used to win the initial fight. According to his estimations, they have one twenty-fifth the number of troops and one-fiftieth the amount of aid per head of population that they put into Kosovo. He spoke about political short-sightedness and ‘a combination of hubris, nemesis and amnesia’. He also highlighted the importance of establishing the rule of law, rather than just establishing elections for their own sake.

There is a need to look more widely at the situation in Afghanistan. Preventing the Taliban from regaining any sort of political control in that country is important, but any sort of simplistic view of the Taliban being the bad guys and anybody who is not the Taliban being the good guys is clearly far from the reality. I would draw attention to the comments of Malalai Joya, a young woman who is a member of the Afghanistan legislature. She has escaped a number of threats on her life. She has drawn attention to and made heavy criticisms of the significant number of, in her words, ‘war criminals’ who are in the Afghan parliament. These things need to be acknowledged rather than just ignored as inconvenient truths that do not fit the neat simplistic narrative. Her call, among the calls of others, has also been for a reduction in the Western military presence and for other forms of support to be provided.

As I said before, it needs to be acknowledged that no path is an easy one in the short term for ensuring stability and the rule of law in Afghanistan. It is a matter that will eventually need to be resolved among the Afghan people. But they deserve as much support as possible from the wider world. That support is not just military. There is an argument that it needs to include military. That is the context of this statement before us today. But, whatever people’s views are about the military support that is needed, it is very clear that there is nowhere near enough non-military support being provided. That is the
part of it that needs much more examination and debate.

It needs to be put on the record in this chamber that it is clear that the situation in Afghanistan has in many respects become more rather than less dangerous. I do not in any way suggest that the former government was anything less than genuine in its views about the best approach to dealing with Afghanistan, even though I may differ to some extent, but it needs to be pointed out that, at the same time that the former government was continuing to highlight how unsafe Afghanistan was and how there was a need for a continuing Australian military presence, it sent back many of the refugees who fled the situation in that country with the Taliban to seek safety in Australia.

Having visited some of those people when they were locked up on Nauru for a number of years by the former government, I want to put on the record that they were pressured to return to Afghanistan. Some of them succumbed to that pressure. Those who have sought to follow what happened to those people after they were returned to Afghanistan have found plenty of evidence that many of them returned to extreme danger and, in some cases, people who were sent back have had to flee again and members of their families have been killed. That is a reality that was a direct result of the laws and policies of the previous government. Whenever we talk about the ongoing role Australia has in Afghanistan—whether it is military or anything else—I for one do not want it to be forgotten what role Australia and the former government played in sending back people who had fled that horrendous war-torn situation. Those people were in effect forced back in terribly unsafe circumstances by the former government. That is something that I will always criticise and will seek to ensure is never forgotten, because many of them paid very dearly in extra suffering as a direct result of the actions of the country whose help they sought to give them safety.

That brings me back to my key point, which is that, whatever differing views there may be about the ongoing military role we think Australia and the wider Western forces should have, I think we are clearly falling down on the non-military support, which, as the comments from Paddy Ashdown that I mentioned before indicated, is far, far short of what it needs to be to have any hope of building genuine long-term stability in that country. We cannot leave it all up to the military, brave and courageous as they may be, to do that on their own. Building a state is about a lot more than that. We need to put more attention on the way that Australia can constructively contribute in that regard.

Senator NETTLE (New South Wales) (4.47 pm)—I want to make a few brief comments about the statement on Afghanistan that was made in the House of Representatives three weeks ago. We had the opportunity in Senate estimates to ask for more details, which were not outlined in the statement, about the form of the new troop deployment to Afghanistan. In Senate estimates I asked a number of questions concerning the new troops’ engagement in combat and what weapons they will carry. It was quite clear that the new troops, who are described in the statement as trainers, will be carrying all of the same equipment as would any combat troops going into Afghanistan. I also asked some questions about what other reconfigurations would need to be made to the existing Australian troops in Afghanistan in order to not increase the total number of troops in the country, which is the new government’s stated intention. The Chief of the Defence Force outlined the changes that would need to be made so that there would no longer be an opportunity for two reconstruction forces to be operating, but that one reconstruction force would operate.
With this statement, what we are seeing in relation to troops in Afghanistan is a reduction in troops carrying out reconstruction activities and an increase in combat troops in the country. It is worth making clear that that is the consequence of the ministerial statement we are looking at here: a reduction in reconstruction activities and an increase in combat activities in Afghanistan.

Question agreed to.

Australia’s Ratification of the Kyoto Protocol

Senator JOHNSTON (Western Australia) (4.50 pm)—by leave—I move:

That the Senate take note of the document.

In speaking to the motion, I want to briefly look at where we are at with respect to both Kyoto and the long-term evolution of greenhouse gas caps and a carbon trading scheme. The 108 per cent of 1990 levels of greenhouse gas emissions by 2008-12 was of course established by the Hon. Senator Robert Hill after much negotiation at Kyoto. I am very proud to say that he was an outstanding minister for the environment and did a wonderful job. Indeed, I note that the government has not said that there is anything wrong with that target for emissions levels. We are tracking to meet this target and have been for some time now.

I note that on page No. 4 of the prime ministerial statement it states:

Under the previous government’s policies, the projections showed that Australia would be around 6 million tonnes off our target.

There is no doubt that this Prime Minister is more preoccupied with spin and the scoring of political points than he ever is with the substance of this very, very important subject. He cannot leave it alone. His government has the huge responsibility of delivering us compliance not just with Kyoto but with a scheme that will see us into the future for two or three generations. When I see the tacky and quite reprehensible political points being taken it makes me wonder whether there is any credibility in what this government is going to do with respect to this very important issue.

As I have said, we are tracking towards meeting this target, with emissions in 2005 being only 2.2 per cent above the 1990 level. In 1990, emissions of CO$_2$ or equivalent gases were 550 million tonnes. In both 2004 and 2005 they were 560 million tonnes. We are doing better than almost all developed countries in meeting our international targets. Unlike many countries, we are meeting our goals on the basis of national actions alone. In light of this achievement, the Labor Party should explain why—and this is a very important point—it has been silent about countries such as New Zealand, Canada, Japan, Spain and others who are failing to meet their targets. It is all very well for us to be shackled and compliant and to do the right thing. But let me say this: there is only one atmosphere on this planet. We are battling away doing what we should be doing and shouldering the moral burden, yet these other countries are not complying with what they promised to do and our government is now silent in that regard. I note the Prime Minister for New Zealand was here the other day. Did the Australian Prime Minister mention this to her? Was it a topic of conversation or are we just, in a blase fashion, muddling along saying, ‘Well, that’s all right; we won’t worry about that’?

I want to make the point that, whilst those other countries are failing to meet their targets, they have been attacking Australia for not ratifying Kyoto. Yet here we were complying with what our obligations were stated to be—and they take time to criticise us. All this time the Australian government, as it now is, is quiet and docile. That is why the global response to climate change must involve, firstly, all major emitters of green-
house gases. This government really needs to shoulder the burden, particularly with respect to India and China. I make this point. I asked the minister in estimates: in 2012, if India and China refuse to take on equitable controls and emission targets, what will Australia do? I got obfuscation and dithering and I got ‘I’ll tell you when I get there’ answers. This is simply not good enough.

Our response to climate change must involve the avoidance of distortions of economic activities and emissions with no environmental benefits. The fact is that, if China and India do not provide emissions targets that are fair and equitable and responsible—and, heaven knows, those of us who have been to Beijing know that they have a huge problem, a public health problem—then we will be exporting manufacturing jobs offshore. That is the simple answer. We will be putting Australians out of work. We should also recognise the different national circumstances. I think it is very important that we recognise that China needs to come to the party on this. But we also need to shoulder responsibility, as the Howard government did, to assist China with respect to a whole host of technologies, technological advances and technological exchange, particularly in the area of coal and gas.

In Bali we endorsed the Bali roadmap for a post-Kyoto agreement well before the new government, which was then the opposition. We did so based on five principles. Firstly, there was the inclusion of developing world countries, especially China, India, Indonesia and Brazil, in future greenhouse reduction commitment regimes. That is fundamental to where the opposition stands on this. I think that is a very proper and responsible clause. We said that there should be no binding developed-world targets in the 2007 document. We said there should be no specific target for Australia in the 2007 roadmap, even if only indicative. We said that the ability to do the economic modelling before Australia even considers any possible future commitments was a very important priority. We also said there should be the inclusion of incentives against developing world deforestation and incentives for developing world reafforestation. That is a very important point that the government has been absolutely silent upon. That is where the opposition stands with respect to this. It is a dynamic, precise, targeted approach to dealing with greenhouse gas emissions on a global basis.

I pause to note that, according to the prime ministerial statement, the initial report outlines the way the Rudd government is now measuring and using calculations to ascertain emission levels. This is a first here. We had 90 days to respond to the ratification of Kyoto at Bali, and the initial report outlines the measures we are using to calculate our emission levels. That is a very interesting statement. We took 92 people to Bali. We took a veritable army of people to Bali for two weeks. I asked the question in estimates—and this was a question to the ministry of climate change: did we seek to measure the carbon footprint of taking 92 people to Bali, including airfares, accommodation, food and all of the things that were used by our 92 people? It was obviously probably one of the biggest delegations outside of the Indonesians. The government said, ‘No.’ It is all very well for them, as a government, to talk about carbon footprints at the moment. This is what the Rudd government does very well: it talks about the obligation and the feelgood. But, in the practical analysis of what we are asking business and the mothers and fathers in our nation to do into the future, the government does not do it. The government flies 92 people to Bali and does not bother about the carbon footprint of that.

Against this background, there is a desperate need for a much more inclusive post-2012 agreement demonstrated by the addi-
tion of 800 new coal-fired power stations in China and India over the coming five years. That is a huge responsibility. There is an enormous amount of consternation out there that, unless we engage China and India properly, 800 new coal-fired power stations in the coming five years will defeat anything we do in Australia, given that we emit something less than one per cent of the world’s greenhouse gases.

Now let us get this into context. We emit something less than one per cent, and 800 new coal-fired power stations are going to be constructed in China and India in the coming five years. That sets the standard and heightens the huge responsibility upon the Rudd government to do more than just make nice ministerial statements about ratifying things that mean very little in practical terms. We have this huge challenge wherein domestic users of electricity are probably going to see their power bills quadruple or more in the next five years while electricity generators deal with emissions controls without compensation. (Time expired)

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (5.00 pm)—I want to look at the report Tracking to the Kyoto target 2007, which was tabled here this afternoon. It is a report on Australia’s greenhouse emission trends from 1990 to the Kyoto test period of 2008-12 and onwards to 2020. The section on land use, land-use change and forestry starts on page 13. Then there is the section on forestry itself on page 14, and it says in the third sentence:

Under Kyoto accounting rules, no forestry sinks are included in the 1990 baseline and only afforestation and reforestation that occurred since 1 January 1990 on land not previously forested is credited.

I draw the attention of the Senate to what that sentence means because here we have an absolute deceit in the accounting procedures which were used by the Howard government and have now been adopted by the Rudd government in assessing the impact of the logging activities of the forest industries from Australia on the pollution of the global atmosphere.

Let me go back to the sentence. It says ‘no forestry sinks’. Forestry sinks are actual forests. Like a sink holds water so forests hold carbon. Trees are largely columns of carbon and water. So when the term ‘forestry sinks’ is used here it means forests, and I particularly refer to native forests and the logging industry. So the sentence really reads: ‘No native forests are included in the 1990 baseline and only afforestation and reforestation that occurred since then on land previously not forested is credited.’ In other words, the only thing this report looks at is land that had no trees on it where plantations have been put and are growing and absorbing carbon.

But the thousands of hectares of forest in Victoria, New South Wales, Western Australia and Tasmania which were growing in 1990 but have since been logged and burned are not taken account of at all. That is because, as this report makes clear in this hidden sentence, forest logging that takes place on land with forests on it previously is not credited. There is no account taken of this.

The Minister for the Environment, Heritage and the Arts, Peter Garrett; the Minister for Climate Change and Water, Penny Wong; the Prime Minister, Kevin Rudd; and indeed the Minister for Agriculture, Fisheries and Forestry, Tony Burke, are all well aware of this sleight of hand. And it is not going to be acceptable to the Australian people as it becomes better known.

Then we come to the proposed Gunns pulp mill, on which a decision on finance will be made this month, according to the company as recorded in the Mercury of Hobart this week. A final decision will be made in June. Gunns hope for a go-ahead in
July. This vast pulp mill will entail the logging of 200,000 hectares—that is 200,000 football fields—of Tasmanian native forest in the coming 20 years and it is not accounted for and is not going to be accounted for under these rules. The ministers might say, ‘That’s how it was written in Kyoto in 1997.’ One of the reasons for that is that Australia lobbied very strongly to have this sleight of hand. But I doubt it will be acceptable into the future. Certainly it is hypocritical for governments, including the Rudd government, to say that we are motivated to protect the global atmosphere when we do our best to prevent logging—and they are talking about Indonesia and Papua New Guinea—when at the same time the government have now allocated more than $100 million in infrastructure to help Gunns build its pulp mill. That is money coming out of taxpayers’ pockets which is going to lead to the logging of vast areas of native forest and the pollution of the global atmosphere with greenhouse gases coming out of those forests. And yet no account will be taken of it.

This is a dishonest process and it is a sleight of hand officially endorsed because of the power of the logging industry over the Labor Party—and, indeed, over the coalition before that—which is simply not going to stand. When the public gets to understand that the logging of forests in this country is not accounted for when the government says it is on track to meet the Kyoto target—it is totally dismissed, but the same accountants employed by the government are counting plantations planted on areas where there was no previous forest—the public is going to become, rightly, annoyed. This is a dishonest process and it is cheating on the global account, which we must know is an honest process if we are going to take that leadership role that the Prime Minister espouses in this age of dangerous climate change.

We are about to get into the regeneration burn period in Tasmania and Victoria. That means that, in the coming autumn months, thousands of hectares of these grand forests—which were logged last year, with the logs taken out and primarily sent to Japan as woodchips—will have incendiaries, napalm-like materials, dropped on them to create a firestorm to burn every remaining stick, branch and fern and, goodness knows, the remains of any wildlife, which is eradicated completely from these logging areas. The carbon and other greenhouse gases from this process—which includes the burning of peat and the soil underneath, which holds 50 per cent of the forest carbon—will go into our global commons, into the atmosphere. When you look at these massive burns, you see a huge column of smoke going up after the firestorm has been deliberately created by the loggers under the imprimatur of Prime Minister Rudd and several state premiers, including Labor Premier Lennon in Tasmania. So intense is the carrying of the smoke and greenhouse gases into the atmosphere that with it goes the heat. On top, a thundercloud forms, and you get this extraordinary event whereby a Hiroshima-like cloud appears over the destroyed forest on a clear day.

Senator Ian Macdonald interjecting—

Senator BOB BROWN—Opposite we have got Senator Ian Macdonald, the former coalition minister for forests, laughing. He thinks that is funny. There are massive tonnages of greenhouse gases going into the atmosphere, where they will stay for decades, if not centuries, and it is not accounted for—and what I get is laughter from the coalition benches. It shows the appalling ignorance of people who should know better regarding the real tragedy of the failure of human communities to deal with catastrophic climate change, which scientists now warn is coming to us in this century. We are already
seeing the initial symptoms of that with the melting of the Antarctic ice, the loss of our own ski fields and the record heat that is being experienced around Australia right now. It is a laughing matter for the opposition, but it should be a serious matter for this government to redress.

Senator IAN MACDONALD (Queensland) (5.10 pm)—The dishonesty and hypocrisy of the Greens’ argument knows no bounds and it causes me to explode in laughter when I hear about the burns of the residue in Tasmania having a Hiroshima-like, mushroom cloud above it. One thing I will give Senator Brown is that he has a very expressive way of putting his argument—a way that has confused and fooled so many Australians over a long period of time. It is a totally dishonest argument, I have to say. If the Greens were at all interested in climate change, they would be doing something about the massive land clearing in Indonesia, the Solomons and the Amazon delta, about which they do nothing. They would be leaving alone the world’s most well-managed, most sustainably managed forest in Australia. Rather than using well-managed Australian timber, they would much prefer you to use illegally sourced, clear-felled timber from the rainforests of the Solomons, Indonesia and the Amazon basin. Never do they argue about that. They are always attacking a magnificent industry in Australia that is so sustainable, creates so many jobs and so much wealth and, in fact, creates carbon sinks for greenhouse gas emissions.

I did not want to spend my 10 minutes speaking about the Greens but, as always, Senator Brown, because of the dishonesty of his arguments, gets a reaction from me. I just hope that one day the Australian public will realise how it has been fooled by the ramblings and ravings of the Greens political party over many, many years. Fortunately, in recent elections the good people of Tasmania, and indeed federally, have not voted for the Greens. In fact, the Greens got the worst result that one could ever imagine at the last federal election. The result was far worse than ours, and ours was pretty terrible. Eight of the ‘Left Left’ senators—four Democrats and four Greens—are retiring and they will be replaced by just five Greens. The Greens political party has done enormously badly and I am delighted that the people of Tasmania are waking up to them at last. Perhaps it is too little, too late.

What I want to concentrate on today is the ministerial statement. As I interjected during Senator Wong’s answer in question time: when are the cyclones up my way going to stop; when is the drought going to stop? We have signed the Kyoto protocol now and everything should be fine! It is pointless for Australia to go through these symbolic exercises unless you can get the big emitters, as Senator Johnston pointed out, to the table. You could shut Australia down. Of the world’s greenhouse gas emissions, 1.4 per cent come from Australia. I asked the experts at estimates committees—and they are getting back to me with a more precise answer—and they indicated to me that, if you shut Australia down and did absolutely nothing in Australia, it would not make one iota of difference to the changing climate of the globe. If we are going to make these symbolic approaches and, at the same time, shut down the Bowen coalfields, affecting all of the working families of Australia who rely on the Bowen coalfields for their living, and shut down the manufacturing plants that the working families of Australia use to earn their bread and butter, then we are going to be in a terrible position if we are the only ones doing it.

We always acknowledged in government that Australia had to show leadership, and we did show leadership. At the APEC summit in Sydney just last year, Australia succeeded in
getting the United States, China, India, Russia and the other big emitters to the table—the very first step. Signing the Kyoto agreement will do nothing towards solving the world’s changing climate; getting the big emitters to the table and getting them thinking about it will. None of the symbolism that the new government have gone through, none of the pretty books that they are printing and tabling and none of the rhetoric that a fawning Australian media has given to Senator Wong—attention, I might say, that was not shared by any other media throughout the world attending the Bali conference, but then that is the way it goes—will make any difference to the world’s changing climate. It seems quite base to me that this government is talking about putting working Australian families in a really difficult economic situation over the next 20 years, and it will not make one iota of difference to the changing climate. We have to get China, Russia, the United States, India and the developing countries to stop or severely rein in their greenhouse gas emissions. Then, and only then, will we as a global community be able to really start making some inroads into the greenhouse gas emissions which do change the world’s climate. I will continue to ask the Minister for Climate Change and Water what difference all of these initiatives that are being floated for the Australian people will have on the changing climate of the world. I keep emphasising that. It is not about Australia feeling good and it is not about some journalists around Australia getting on the bandwagon and saying, ‘This is pretty good stuff; we all feel warm and fuzzy about this.’ I want to know what impact it will have on the changing of the world’s climate, and we have to look at it from that point of view. You are not going to stop cyclones in the north and you are not going to stop droughts in the Murray-Darling Basin or anywhere else in Australia simply by signing a bit of paper and reducing Australia’s 1.4 per cent of global greenhouse gas emissions by a figure. You have to get the big emitters there.

I would like this government to forget the rhetoric, to forget the glossy brochures, to forget the huge media machine trying to convince people that we are doing marvellous things for climate change and to get real on the subject of those who are causing this. I was frightened to hear Senator Johnston’s comments about—what was it?—500 coal fired power stations opening up in China in the next few years. Imagine what that would do, but do you hear Senator Bob Brown or any of the Greens political party talking about these sorts of things? No, no. It is all to attack the Australian sustainable forest industry. Do not worry about India, about Japan or about China—they do worry about America, because they will take on any chance to attack the United States; you never hear that from the Greens political party.

I urge the new government to continue what we started in government and progress the sorts of initiatives we started at APEC in Sydney last year. You do not need a Bali climate change conference. You do not need Kyoto to do that, because the big emitters are not part of the Kyoto protocol. They have not signed up. A couple of them have signed up, but they do not have any targets or restrictions. It is pretty easy to agree when it does not cost you anything. You have to get those big emitters to make a real contribution, and then Australia should make the same sort of sacrifice. I am not for a moment saying we should not position ourselves and take a leadership role—we must take a leadership role and position ourselves—but talking about shutting down Australia’s industry and the coal fields that support so many working-class Australians, and working families that Mr Rudd is so keen on, without any change whatsoever to the changing world climate is,
in my view, a futile exercise. Until you get the big emitters to reduce, there is nothing Australia can do. We have to continue to show the leadership Australia has shown over the last several years, and I encourage the new government to do that, but do not destroy the Australian economy for a pointless exercise until such time as the big emitters are making the same sorts of reductions and as those big emitters reduce their output to a point where it will have a real impact on the globe’s changing climate.

Question agreed to.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Troeth) (5.20 pm)—Pursuant to standing order 166, I present documents which were presented to the President, the Deputy President and Temporary Chairmen of Committees since the Senate last sat. In accordance with the terms of the standing order, the publication of the documents was authorised.

The list read as follows—

Government documents
1. Portfolio additional estimates statements 2007-08—Agriculture, Fisheries and Forestry portfolio—Correction (received 15 February 2008)
3. Superannuation (Government Co-contribution for Low Income Earners) Act 2003—Quarterly reports on the Government co-contribution scheme for the period 1 July to 30 September 2007, and 1 October to 31 December 2007 (received 5 March 2008)

Reports of the Auditor-General
1. Report no. 24 of 2007-08—Performance audit—DIAC’s management of the introduction of biometric technologies: Department of Immigration and Citizenship (received 26 February 2008)

Statements of compliance with Senate orders—Lists of contracts
Agriculture, Fisheries and Forestry portfolio agencies
Attorney-General’s portfolio agencies
Broadband, Communications and the Digital Economy portfolio agencies
Department of Climate Change
Department of the Environment, Water, Heritage and the Arts
Department of Infrastructure, Transport, Regional Development and Local Government
Education, Employment and Workplace Relations portfolio agencies
Families, Housing, Community Services and Indigenous Affairs portfolio agencies
Finance and Deregulation portfolio agencies
Foreign Affairs and Trade portfolio agencies
Office of the Renewable Energy Regulator
Prime Minister and Cabinet portfolio agencies (received 3 March 2008)
Environment, Water, Heritage and the Arts portfolio agencies
Human Services portfolio agencies
Immigration and Citizenship portfolio agencies
Resources, Energy and Tourism portfolio agencies (received 4 March 2008)
AUDITOR-GENERAL’S REPORTS
Report No. 26 of 2007-08

Senator ABETZ (Tasmania) (5.21 pm)—
by leave—I move:

That the Senate take note of the document.

This report deals with the Tasmanian forestry industry development and assistance programs. It is vitally important that this report be read in full by anybody seeking to comment on it. We have unfortunately had mischievous comments from the Australian Greens reported by the media suggesting that somehow there was something untoward about this very important and vital program.

I draw honourable senators’ attention to paragraph 3 of the report, which quite clearly states that the regional forest agreement:

... increased the existing Tasmanian forest conservation reserve system by 17 per cent, bringing the total reserve system to 2.7 million hectares or 40 per cent of Tasmania’s total land area.

That is the very interesting finding of the Auditor-General in relation to this.

In the next paragraph, the Auditor-General goes on to talk about the then Liberal-National Party coalition policy for the 2004 election which outlined the further preservation of high-conservation forests from logging, coupled with investment assistance to ensure the continued viability of forest and forest related industries. The support the government offered at the time was: the Tasmanian Forest Industry Development Program, with $42 million; the Tasmanian Country Sawmills Assistance Program, with $4 million; and the Tasmanian Softwood Industry Development Program, with $10 million—totalling $56 million.

At paragraph 10, the Auditor-General found that, as of 30 November 2007, 184 applications had been received and 88 had been approved by the ministers, and payments were made on a reimbursement basis. The Auditor-General found a sound framework for assessing and approving applications for the three programs. What he did find was that, however, in practice not all processes and procedures were followed—something which the Department of Agriculture, Fisheries and Forestry fully accepts.

But, importantly, in paragraph 18—and honourable senators will forgive me for referring to this, but it reflects directly on my handling of the portfolio at the time—the Auditor-General says:

In the absence of advice to the contrary, it would be reasonable for the Ministers—and I was one of those—to expect that the assessment process undertaken would demonstrate that the proposed expenditure they were approving represented the efficient and effective use of public money, and met the requirements of the Financial Management and Accountability Regulations.

They are the findings of the Auditor-General—pure and simple—and no Green spin will overcome that basic finding of fact by the Auditor-General.

It is a pity that the new minister so lacks interest in the vital forestry area that he did not deem to comment on this Auditor-General’s report, which concluded that a sound framework for assessing and approving applications for the three programs existed—that is at paragraph 62—and that the department ‘effectively promoted the programs to potential applicants within the industry’.

In paragraph 64, the Auditor-General tells us:

While not yet fully implemented, the industry development programs have met the Government’s objectives by leveraging significant investment from industry participants and assisting forest industry companies to adjust to the changing nature of the timber resource in Tasmania.

You see, what we have in Tasmania is the lock-up of nearly 50 per cent of the total land
mass for conservation reasons, and that has been accepted by the timber industry. But that also means that the timber industry has to restructure. It is only fair and reasonable, if they are denied access to a resource that they have had access to for generations, that there be public support to enable that transfer to occur. Indeed, if anybody were genuinely interested in getting the forest industry out of old-growth forests you would have thought that they would have supported this very sensible and balanced approach. I think everybody in this chamber does, other than—you have guessed it—the Australian Greens.

The Auditor-General made three recommendations aimed at improving the administrative effectiveness of the programs. For the Auditor-General to investigate something and not come up with some reason or some area for improvement is, I think, to ask the impossible. This is about as mild a report as you can possibly get from the Auditor-General. What this report has shown is some administrative defects which the department fully accepts. The good news is that, as a result of these defects, not one single grant has been suggested by the Auditor-General to be not worthy of being funded. All he is saying is that the technical process was not fully followed, but that does not mean that any one of those grants should not have been made. Indeed, all the applicants went through a very, very strenuous process, and the committee making recommendations to me, might I add, the state Labor government in Tasmania were unanimous in all their decisions.

The forest industry is vital to the economic and social fabric of not only my home state of Tasmania but many areas of Australia. It is also vitally important for the environmental wellbeing of our planet. Too often we have heard the nonsense—and we heard it just a few moments ago again from Senator Bob Brown—about the impact of forestry on greenhouse gas emissions. The simple fact is that the Australian Greenhouse Office—that is the body that has the scientific expertise to comment on these things—has said that the forest industry is in fact carbon positive. It is the only area of our economy that is in fact actively cleaning up the atmosphere as we speak, and yet the Greens have a manic determination to destroy this fundamentally important industry. What is more important is this: if you do not use forest products for your building or your packaging, you use alternatives such as plastics, aluminium and steel. Are they renewable resources? No, they are not. How are they made? With a huge amount of energy, leaving huge carbon footprints all over the world and, indeed, even in our nation, Australia.

So anybody listening to this broadcast should be assured that when they buy something wrapped in a paper or timber derivative they are, in fact, doing the environment a favour because they are using a genuinely renewable product. If they are using wood in their building exercise they are, in fact, putting down a carbon sink rather than a sink of CO₂ emissions as with concrete, steel or aluminium. Timber genuinely is an environmentally friendly product. It is renewable. It is basically a mixture of sunshine and water with a few nutrients. It really is a marvellous product. I was delighted to be the minister for forestry—for a relatively short period of time—but the forest industry—

The ACTING DEPUTY PRESIDENT (Senator Troeth)—Order! The time granted for this debate has expired. Do you wish to seek leave to extend the time of the debate?

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

Leave granted; debate adjourned.
Report No. 23 of 2007-08

The Acting Deputy President (Senator Troeth)—In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-General: Report No. 23 of 2007-08: Performance audit: the management of cost recovery by selected regulators.

Parliamentarians Entitlements

Senator Faulkner (New South Wales—Special Minister of State and Cabinet Secretary) (5.31 pm)—In relation to item 13(d) on the red, tabling of documents by the Clerk, I seek leave to make a statement about printing entitlements.

Leave granted.

Senator Faulkner—I thank the Senate for the opportunity to speak on this important issue. I do so because, today, regulations have been tabled to reduce the printing allowance for members of parliament from $150,000 a year to $100,000 a year. These regulations bring into effect three changes which the government believes will strengthen our democratic processes by removing some of the more egregious abuses of incumbency. As well as cutting the printing allowance for members of parliament by one-third in these regulations, the government will abolish the option for members of parliament to roll over 45 per cent of their entitlements to the following year. These regulations also cut the printing allowances for senators from $20,000 per annum to $16,667.

It is undeniable that in recent years the Howard government increased parliamentarians’ printing allowances to inappropriate levels. Prior to the last election, with members of parliament having a printing allowance of $150,000 per annum and being able to roll over 45 per cent of that allowance to the next year, more than $240,000 could be spent by a single member of parliament in a single year—in a single election year. This cannot be justified as appropriate spending. The combination of the rollover and the increased level of the entitlement allowed members of parliament to build a war chest for election spending out of moneys originally designed for communicating with constituents and the community. This, of course, is taxpayers’ money.

It is worth taking a brief look at the history of the printing allowance. This entitlement was originally uncapped. The Auditor-General’s report on parliamentarians’ entitlements in Audit report No. 5 of 2001-02 found that there was an excessive use of printing entitlements by some members of parliament. The report found that, although the average spend by a parliamentarian on printing over a year was $37,000, some members of parliament—from both sides—were spending more, far more. The then government indicated that they would review the entitlement but did not move on the issue before the 2001 election. In 2002—after the election—the then government capped the allowance at $125,000 a year but provided for a rollover component of 35 per cent. In 2006, after a review of the entitlement and just in time for the 2007 election, the cap was upped to $150,000, with the rollover component raised to 45 per cent.

Members of parliament and senators, in my view, do have legitimate reasons to communicate with their electors. Electors have a right to know what their members and senators are doing on their behalf. Newsletters and electoral bulletins are a legitimate way of communicating the work that the government—and the opposition—is involved in. Not all Australians are regular readers of the Notice Papers and the bills list. For many, it may only be through the work of their elected representatives that they find out about proposed legislation,
regulations and policies that have a direct impact on their local areas and their lives.

The government has no objection to these genuine and justifiable uses of the printing allowance. As the Australian National Audit Office said in a review of parliamentarians’ entitlements in 2001:

The role of Federal Parliamentarians is demanding and multifaceted … arrangements for the support provided to Parliamentarians need to facilitate the outcomes required of them in the conduct of their official, parliamentary and electorate business. To serve the public, Parliamentarians require the appropriate level of support both in terms of resources and services.

However, we also believe that all members of parliament but most particularly the government, which takes responsibility for the wise use of taxpayers’ money, must bear in mind that the printing allowance comes from public funding, and it must be used in the public interest and must be of an appropriate level. I want to go on the record as saying that the government considers the state of affairs under the previous government to be an abuse of taxpayer funded entitlements that should never have developed and should never be allowed to recur. The government has a view—I have a view—that $100,000 a year is a reasonable maximum expenditure of public money on printing allowances, allowing parliamentarians to reach large numbers of people in their electorate.

The changes contained in these regulations will save Australian taxpayers up to $22 million over the life of each parliament. They will undoubtedly also save untold numbers of double-sided colour leaflets from the recycling bins of Australia. And they will go a fair way towards preventing our federal system from becoming so heavily weighted towards incumbency that the contest of ideas comes a poor second to the battle of taxpayer funded promotion. I commend these regulations to the Senate.

Senator MURRAY (Western Australia) (5.39 pm)—by leave—I move:

That the Senate take note of the statement.

I want to indicate from the outset that the Australian Democrats warmly welcome these regulations and support the minister’s outline of the content of these regulations. This is action that needed to be taken early in the life of this government; the government have stayed true to their promise and have delivered what is a significant restoration of accountability and propriety.

I would confirm the view expressed by the Special Minister of State that there were two major problems with the printing allowances that were made available before. One was in terms of quantum—it was just excessive, overgenerous; and the other, of course, was that it was cumulative—it was allowed to be rolled over.

Any member or senator holding a seat benefits from incumbency, even more so if they are in a safe seat or they hold high office. The incumbent has a natural advantage over any challenger when an election is contested. However, when that incumbency advantage is artificially boosted so that it becomes much more expensive or difficult for a challenger to contest the seat, it becomes a real problem. Despite our democratic system being a plural one in which numbers of political parties and Independents can contest elections, there has been a strong tendency towards dualism and oligopoly. So incumbency advantages further boosted the prospects of the two largest beneficiaries of our system—namely, the Liberal and Labor parties. What the government has, in my view, commendably done is improve the contestability and affordability of elections, by reducing the incumbency advantage of individuals who are already in either the House of Representatives or the Senate.
Parliamentarians have a wide range of responsibilities: party, political, parliamentary, legislative, representative and portfolio. They do need modern, efficient office resources to carry out these responsibilities effectively. However, care should be taken that their office resources are not ahead of reasonable community standards and expectations. Proper independent determination and audit is needed, and reporting and disclosure must be full, regular and transparent.

Incumbent members or senators have an in-built advantage over challengers for their seat. Their staffing and office provisions; modern phone, fax and electronic communications; fast franking and Risograph machines; and colour printers and advanced computer facilities all help give them this advantage. Since 1996, office entitlements have expanded to provide enhanced parking and travel allowances for parliamentarians and their staff; broadband web access; significant computer, electronic and mechanical office enhancements; two phone lines, two mobile phones, a digital organiser and increased subscriptions. What the Howard government did was radically extend the natural in-built advantages of incumbency. Most obscene of all was the misuse of government advertising to advantage the incumbent government, and a huge increase in the number of ministerial staffers and members of the secretive government members secretariat.

At the individual parliamentarian level, the Howard government lifted the number of staff members per parliamentarian from three to four and doubled the relief staff provision—neither of which resulted from thorough, independent, publicly available assessments of whether members of parliament’s work demands warranted it. They hugely increased printing and postage allowances and allowed these allowances to be used for purposes never contemplated before. How-to-vote cards used to be at the cost of a political party; they were able to be funded by taxpayers at the last election, through the Howard government’s largesse. The public purse is now funding transport and telecommunication costs, mail and printing costs, the running of websites, the maintenance of electoral databases—all trappings of political incumbency and all worth many millions of dollars in each political cycle.

In 1996, six large electorates could have a second electorate office and an extra staffer; now there are 20 such electorates. Members serving large constituencies could now aggregate their communications and charter allowances, and money allocated for travel to distant parts of the constituency could now be used for mail. At the time this came through, the then Leader of the Opposition in the Senate, Senator Evans, estimated that each of the 33 members in large constituencies could now accumulate, with other entitlements, as he described it, ‘a whopping $393,500 of taxpayer funds for their re-election’.

In August 2006, the Howard government displayed its determination to stay in office by tying amendments to parliamentary entitlement regulations which, because it had control of the Senate, could not be overturned. They were vigorously opposed by the non-government parties. Although introduced under the guise of servicing the electorate, many were clearly about boosting electioneering activity by incumbent members. Printing entitlements for members of the House of Representatives increased from $125,000 to $150,000. With 150 members, that entitlement amounted to $22.5 million each year.

There were no such allowances until Labor introduced them in the early 1990s, and they have grown ever since. There is at present a provision to carry forward 45 per cent of unused benefits into the following year.
that the minister will end through his announcement of this new regulation. This means that there was the potential for members to access printing entitlements of up to $217,500 during an election year, which was a grossly unfair advantage to incumbents over other candidates in an election. Members could use their printing entitlements for postal vote applications and how-to-vote cards for their seats or other seats in their respective states or territories. By comparison, members contesting the 1996 election could not use this entitlement for party based material. Figures released by the minister indicated that printing costs escalated for government members from $15,414 in 1996 to $94,511 in 2006 and for opposition members from $18,357 to $71,848. On the other hand, the printing costs for Independent members rose to only $35,214 over the same period.

Since 2004, sitting members and senators have been able to use their postal, printing and communications allowances for election campaigns. Members could spend those on parts of adjoining seats subject to redistribution. Senators could divert their allowances to help party colleagues. In sum, while the advantage of publicly funded expenses does go to all sitting members, that advantage compounded for a government where its electoral ascendancy was most pronounced.

I am not so naive as to believe that every single member of the then government supported such largesse from a moral perspective, nor am I so naive as to believe that every member of the opposition at the time opposed it from a moral perspective. There is a vast amount of self-interest attached to this. What the Rudd Labor government and Minister John Faulkner have now done—and here I want to pay respect to the Special Minister of State; this has been a long campaign for accountability and integrity on his part—is reduce the largesse, minimise the rort, restrict the advantage of incumbency and restore some contestability. I hope this is one of many steps that will be taken to make our democracy something that we can be more proud of than we were in the final years of the Howard government. I assure you that the Australian Democrats will strongly support the regulations that have been put before us.

Senator RONALDSON (Victoria) (5.48 pm)—I want to put on the public record that, while the minister was gracious in the great bulk of his remarks, he did regrettably stray into some partisan politics about two-thirds of the way through. Putting that to one side, I therefore need to correct the record in relation to some of these matters.

The first thing I would say is that the opposition does support these changes. We have some concerns about the potential differential between the Senate and the other place in relation to these entitlements. We certainly do not want the ability of senators to communicate to be at a different level to those of members in the other place. I think there is some inherent risk in these regulations for that to occur. Nevertheless, we will not be opposing these changes.

I do, however, want to make it quite clear that it was the Howard government which actually put a cap on printing. Up until 2002, initially under the Hawke government and then in the early years of the Howard government, there was actually no cap. In 2002, we moved to put a cap on this. So we can assure you, Madam Acting Deputy President, that we come to this debate with very clean hands indeed because we were the ones who put the cap in place.

I think there was some unfortunate reflection in the minister’s comments on the changes in 2005-06 along the lines of, ‘We must never return to these dark days.’ We made sure in 2002 that there would be a cap
and that those dark days were gone. I think that, with the greatest respect for the minister, even he would be aware that there has been a dramatic growth in the number of electors in most lower house seats these days. Our view at that time was that it was quite reasonable for all members of the House of Representatives, irrespective of their political party, to communicate according to that growth in the number of electors. So we are not going to be pilloried in relation to that slight increase, particularly when we were the ones who first introduced the cap.

Senator Faulkner interjecting—

Senator RONALDSON—I did not interrupt you, Senator Faulkner. We will support this, but I will again place on the record that I hope the minister has not put members of this chamber, on both sides, in a different position to those in the other place. Quite frankly, from the view of the requirement of the democracy that we are privileged to have to correspond with our very large constituencies, we do not want to see that diminished by a reduction in the rights of senators to communicate with their electors. We will support this, but we will not hear any politicking in relation to the matter because, as I said before, we were the first ones to put in the cap. We genuinely believed when we brought in the increase in 2005-06 that it was to address the needs of particularly those lower house members who had significantly increased constituencies.

Question agreed to.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Troeth) (5.52 pm)—The President has received a letter from a party leader seeking variations to the membership of committees.

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (5.52 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—

Discharged—Senator Parry

Appointed—Senator Cormann

Electoral Matters—Joint Standing Committee—

Discharged—Senator Fierravanti-Wells

Appointed—Senator Fifield

Treaties—Joint Standing Committee—

Discharged—Senator Cormann

Appointed—Senator Sandy Macdonald.

Question agreed to.

ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES

PARLIAMENTARY RETIRING ALLOWANCES TRUST

Membership

The ACTING DEPUTY PRESIDENT (Senator Troeth)—The President has received a letter from Senator Faulkner resigning his place as a member of the National Archives of Australia Advisory Council and as a member of the Parliamentary Retiring Allowances Trust.

COMMITTEES

Membership

Messages from the House of Representatives were reported informing the Senate of the appointment of members of the House of Representatives to joint committees, as follows:

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Mr Clare, Ms Parke and Mr Hayes
Australian Crime Commission—Joint Statutory Committee—Mr Hayes, Mr Gibbons and Mr Champion

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—Mr Hale, Mr Hayes and Mr Price

Corporations and Financial Services—Joint Statutory Committee—Mr Ripoll, Ms Owens and Ms Grierson

Public Accounts and Audit—Joint Statutory Committee—Ms Grierson, Mr Bevis, Mr Neumann, Mr Bradbury, Mr Butler and Ms King

Public Works—Joint Statutory Committee—Mr Butler, Mr Hale and Mr Champion

Electoral Matters—Joint Standing Committee—Mr Melham, Mr Danby and Mr Sullivan

Foreign Affairs, Defence and Trade—Joint Standing Committee—Mr Bevis, Mr KJ Thomson, Mr Hale, Mr Danby, Mr Ripoll, Ms AL Ellis, Ms Vamvakinou, Ms Parke, Mr Gibbons, Ms Saffin, Ms Rea and Ms Grierson

Migration—Joint Standing Committee—Mr Danby, Ms D’Ath and Mr Zappia

National Capital and External Territories—Joint Standing Committee—Mr Adams, Mr Turnour and Ms AL Ellis

Parliamentary Library—Joint Standing Committee—Mr Adams, Ms Jackson and Mr Butler

Treaties—Joint Standing Committee—Mr KJ Thomson, Ms Neal, Mr Trevor, Ms Parke, Ms Hall and Ms Vamvakinou

Parliamentary Library—Joint Standing Committee—Mr Perrett.

APPROPRIATION BILL (No. 3) 2007-2008

APPROPRIATION BILL (No. 4) 2007-2008

HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP ASSISTANCE) BILL 2008

SOCIAL SECURITY AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (ENHANCED ALLOWANCES) BILL 2008

TAX LAWS AMENDMENT (2008 MEASURES No. 1) BILL 2008

First Reading

Bills received from the House of Representatives.

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (5.54 pm)—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 move a motion in relation to the listing of the bills 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 FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (5.55 pm)—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—

APPROPRIATION BILL (No. 3) 2007-2008

It is with pleasure that I introduce Appropriation Bill (No. 3) 2007-2008.
There are two Additional Estimates Bills this year: Appropriation Bill (No. 3) and Appropriation Bill (No. 4). I shall introduce the latter Bill shortly.

The Additional Estimates Bills seek appropriation authority from Parliament for the additional expenditure of money from the Consolidated Revenue Fund, in order to meet requirements that have arisen since the last Budget. The total additional appropriation being sought through Additional Estimates Bills 3 and 4 this year is $3.3 billion, or about 4.8% of total annual appropriations.

I should add that in addition to Appropriation Bills 3 and 4, I will also be introducing another two Appropriation Bills to meet additional expenses relating to drought and equine influenza assistance measures announced by the previous Government after the last Budget. The amounts to meet these additional measures would normally be included in the Additional Estimates Bills; however, as the funding for these measures is required urgently, a second set of Bills has been prepared which can be given faster passage in the Parliament – the Appropriation (Drought and Equine Influenza Assistance) Bills.

Before I turn to the detail of the additional appropriation being sought in Appropriation Bill (No. 3), I want to speak about the Government’s savings initiatives and their effect on the Additional Estimates Appropriations. The Government has commenced the hard work of identifying savings and offsets of the previous Government’s spending so that they may be redirected to better and more effective program priorities. Today I am delivering a modest initial instalment on the Government’s election promise of savings.

During the election campaign we promised to require government departments and agencies to deliver an additional two per cent efficiency dividend in the 2008-09 financial year. The first part-year instalment on that promise will be achieved this financial year, with an estimated saving in expenses against annual departmental appropriations of around $100 million in 2007-08. These savings have served partially to offset an increase in departmental appropriations in the Additional Estimates. Efficiency dividend savings are estimated to increase to around $430 million in 2008-09.

Of course, it is not only the public sector that has been called upon to find economies. The Government has applied this requirement to itself and to members of Parliament generally by requiring a 30 per cent reduction in Ministerial and opposition staff, yielding a net saving of $15.4 million this year.

Significant administrative efficiencies will arise this year with the transition from Australian Workplace Agreements to collective enterprise agreements and statutory individual contracts. The Workplace Authority will achieve a funding reduction of $30 million in 2007-08 as a result of the simplified administration.

We are also delivering the first instalment on our promise to redirect savings in annual appropriations to superior policy outcomes including, to name but a few:

- Redirecting the savings from cancelling the previous Government’s Skills for the Future program work skill vouchers to fund our better plan for more Vocational Education and Training places as part of our Skilling Australia for the Future program. A part-year saving of $16.3 million will be achieved this year;
- Abolishing the Access Card project providing a saving this year of $250.6 million; and
- Abolishing Australian Industry Productivity Centres, saving $10.2 million this year and redirect the savings to a better targeted program.

Amongst the measures announced by the previous Government that we will not be proceeding with are contributions to the Rugby League Hall of Fame and the Australian Rugby Academy producing a cash saving to the Budget this year of $35 million, while a review of the Renewable Remote Power Generation Program has identified a saving this year of $33 million.

These savings, and many others, have served to contain the additional appropriation sought in these Bills.

Turning now to Appropriation Bill (No. 3), the total appropriation being sought this year is $2.4 billion. This proposed appropriation arises from changes in the estimates of program expenditure, due to variations in the timing of payments.
and forecast increases in program take-up, reclassifications and from policy decisions taken by the Government since the last Budget.

I now outline the major items provided for in the Bill.

As a first step in attacking Australia’s skills deficit the Department of Education, Employment and Workplace Relations will be provided with $242.1 million to enable the following programs to proceed:

- $100 million to establish the National Secondary Schools Computer Fund, which will provide for grants of up to $1 million for schools to assist them to provide for new or upgraded information and communications technology for secondary school students in years 9 to 12;
- $33.3 million for the Government’s Skilling Australia for the Future program which will provide a total of 450,000 additional training places over four years at a cost of $1.3 billion. Funding in 2007-08 will deliver 20,000 Vocational Education and Training places that are aimed at people currently outside the workforce. This program will commence in the beginning of April 2008;
- $92.6 million to meet additional costs associated with the previous Government’s Skills for the Future program and to extend that program until our new program commences in April; and
- $16.2 million to establish the Television Technical Operators College and the WeStTrac National Skills Training Centre of Excellence.

The Department of Education, Employment and Workplace Relations will also be provided with $22.7 million to provide assistance to schools in declared Exceptional Circumstances areas to increase equitable access to high-quality education opportunities.

The Government will provide a net increase of $45.7 million in 2007-08 to establish the Workplace Authority, which will undertake pre-lodgement assessment of workplace agreements and provide a comprehensive information and education service about pay and conditions to help employers and employees better understand the workplace relations system.

$15 million will be provided to establish the Office of the Workplace Ombudsman, which will perform the workplace relations compliance role formerly undertaken by the Office of the Workplace Services. The additional resources will ensure timely investigations of the expanded number of claims.

Additional funding of $60.75 million is proposed for the Department of Education, Employment and Workplace Relations to reimburse it for the communications campaign to raise public awareness of the services provided by the Office of the Workplace Ombudsman and the Workplace Authority, which concluded in October 2007.

The Department of Infrastructure, Transport, Regional Development and Local Government has been provided with $2.5 million to establish Infrastructure Australia to ensure genuine rigor and accountability in infrastructure spending. Infrastructure investments will be subject to expert analysis. If a government chooses to invest in a project for political rather than economic reasons everyone will know about it. Infrastructure Australia will develop a national approach to tackling infrastructure bottlenecks.

The Department of Innovation, Industry, Science and Research will be provided with $15.2 million to introduce the Enterprise Connect program, replacing the previous Government’s Australian Industry Productivity Centres.

Additional funding is proposed for the Department of Health and Ageing for the following:

- $14.0m to provide a package of incentives to support the take-up of Medicare Easyclaim by patients attending participating general practices and specialist practices;
- $33.1m to provide upfront capital grants and recurrent funding for the establishment of 31 GP Super Clinics around Australia, and to provide incentive payments to GPs and allied health providers to relocate to these clinics;
- $11.7m to establish a specialist training school at Greenslopes Private Hospital at the University of Queensland; and
• $31.6 million for investing in hospitals and community health under the Better Outcomes for Hospitals and Community Health program. This includes funds for specific commitments announced during the election such as $10 million for the Flinders Medical Centre clinical teaching facilities upgrade.

The Department of the Environment, Water, Heritage and the Arts will receive the following additional amounts:

• $50.8 million additional funding for the Great Barrier Reef Marine Park Structural Adjustment Package;

• an additional $31.8 million to provide rebates to households for installing solar hot water heaters to encourage improved energy efficiency in homes;

• an additional $50.8 million for the National Solar Schools Plan to encourage improved energy and water efficiency in schools; and

• an additional $15.2 million to take early action on the National Plan for Water Security. This proposal will accelerate investment in water savings infrastructure and the purchase of water allocations by bringing forward spending from 2011-12.

The National Water Commission will receive an additional $25.0 million to assist groundwater licence holders in New South Wales to adjust to reductions in water access entitlements.

The Department of Families, Housing, Community Services and Indigenous Affairs will be provided with $189.8 million to assist people with disabilities, their families and carers. This includes annual tax-free payments of $1,000 for each child under the age of 16 with a disability for whom the carer is receiving Child Carer Allowance and $9.0 million to increase the support available to people in disability business services. The Department of Immigration and Citizenship will be provided with:

• an additional $18.0 million to upgrade the Border Control System. This funding will enable enhanced electronic connectivity between the Department and the Australian Security Intelligence Organisation; improved analysis and security checking of travellers to Australia; and higher quality data matching systems;

• a further $81.6 million through the DIAC funding model for increases in the volume of DIAC’s transactions including visa applications (mainly student and skilled migrant) during 2007-08.

The Department of Defence’s appropriation is largely the result of a reclassification of appropriations and other estimates variations, including:

• $402 million to cover an increase in depreciation expense. This increase in funding is fully offset by a reduction in the Department’s capital funding appropriation from Appropriation Act 2, thereby making the reclassification budget neutral;

• $38.8 million for Stage 2 of the Enhanced Land Force Initiative; and

• $70.6 million for additional costs incurred for Operation Astute in East Timor in 2006-07.

The balance of the amount in Appropriation Bill (No. 3) relate to estimates variations, reclassifications and other minor measures.

The Appropriation Bills are structured according to the Administrative Arrangement Orders announced on the 3rd December 2007 and 25th January 2008. Members will notice that in the case of some functions transferred between agencies, the recipient agency has been assigned the same outcome as the agency from which the activity was transferred. This ensured that valid outcomes existed against which funds could be appropriated within the Additional Estimates timeline and in the context of the large number of Administrative Arrangement changes. Following Additional Estimates, agencies will be able to seek amendments to outcomes statements so that these can be more fully integrated into their agency outcome and program structure.

We have inserted a new provision in Appropriation Bill 3—section 12—to facilitate the achievement of whole of Government outcomes relating to indigenous employment initiatives. The new provision will provide relevant agencies with the necessary appropriation in order to spend amounts received from the Northern Territory
Flexible Funding Pool Special Account. Participating agencies will be identified in an annual determination by the Finance Minister. The Flexible Funding Pool model was adopted to permit the reallocation of funds between participating agencies, where required, to more effectively meet employment objectives relating to the Northern Territory Emergency Response.

We have also taken the opportunity to make changes to the Appropriation Bills to clarify the relationship between annual appropriation Acts and certain provisions in the Financial Management and Accountability Act 1997, which can change amounts appropriated by, and issued under, the annual appropriation Acts. The FMA Act provisions in question are sections 30, 30A, 31 and 32, which relate to re-imbursements and other amounts received by agencies, handling goods and services tax issues and changes to appropriations that flow from a change of agency functions, such as the new administrative arrangements made after the election.

The changes proposed are particularly important following commencement of the Financial Framework Legislation Amendment Act (No. 1) 2007 which altered sections 31 and 32 so that they directly change the amounts of appropriation provided in the annual appropriation Acts.

We are proposing to expand the explanatory detail provided in Note 2 to section 6 of the Bills and also expand the detail provided in the appropriation clause in each Bill. These changes are not designed to alter the substantive law, but to make clear that the appropriation Acts are subject to the relevant FMA Act provisions.

A number of other minor technical improvements have been made to the Bills to ensure consistency with the drafting of other legislation.

The previous government decided to abolish the Statement of Savings and to remove departmental savings from Appropriation Bill (No. 3). This statement merely replicated information already provided in the Mid-Year Economic and Fiscal Outlook. It was also somewhat misleading, as most of the items presented were actually reallocations of funding across programs or years and did not represent reductions in agency appropriations. Consequently, I am not tabling a Statement of Savings document with these Additional Estimates Bills. Also, the proposed Appropriation Bill (No. 3) does not show agencies which are not expected to spend all of their departmental outputs appropriation for 2007-08. The Government has decided that detail on savings measures agreed since the 2007-08 Budget will be provided in tables in the Portfolio Additional Estimates Statements.

I commend the bill to the Senate.

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APPROPRIATION BILL (No. 4) 2007-2008

Appropriation Bill (No. 4) provides additional funding to agencies for:

- expenses in relation to grants to the States under section 96 of the Constitution and for payments to the Territories, and local government authorities; and
- non-operating purposes such as equity injections and loans.

The total additional appropriation being sought in Appropriation Bill (No. 4) 2007-2008 is $898.5 million.

The principal factors contributing to the additional requirement since the 2007-2008 Budget include $172 million in additional payments to the States, Territories and local government authorities, including:

- $63.7 million to the Department of Health and Ageing including:
  - an amount of $40.3 million for investing in hospitals and community health under the Better Outcomes for Hospitals and Community Health program. This program includes funds for specific commitments announced during the election, such as $15 million for the Launceston Integrated Cancer Care Centre; and
  - $18 million for a contribution to Grafton Hospital;
- the Department of Defence will be provided $26.8 million for payment to the Queensland Government for the relocation of Amberley State School as a result of the expansion of RAAF Amberley. This appropriation is provided through the reclassification of an existing Defence appropriation.
Bill 4 also proposes $723 million in additional appropriation for non-operating expenses, the more significant of which I now outline.

AusAID will be provided with $466.4 million for Australia’s contribution to the International Development Association, which is the concessional lending arm of the World Bank. The amount reflects additional funding announced at MYEFO of $211 million and a change in the accounting treatment for $255 million previously appropriated with funding for loans in Appropriation Act 1 2007-08. The original funding provided in Appropriation Act 1 under the previous accounting treatment will be returned to the Budget.

An additional $17.6 million will be provided to the Department of Innovation, Industry, Science and Research for the Innovation Investment Fund. This amount represents the profit on the Fund’s investment continuing the policy that profits generated should be returned to the Fund to create a self-sustaining program of investments.

Finally an additional equity injection of $121.4 million is proposed for the Department of Immigration and Citizenship to, among other things, reimburse the Department for meeting workload increases flowing from an increase in case volume in 2006-07 and to provide capital funding for the Border Control System as well as additional capital funding for the Systems for People IT program.

We have also changed Appropriation Bill 4 to clarify the relationship between annual appropriation Acts and certain provisions in the Financial Management and Accountability Act 1997, which can change amounts appropriated by, and issued under, the annual appropriation Acts.

Consistent with the amendments proposed for Appropriation Bill 3, the changes proposed for this Bill expand the explanatory detail provided in Note 2 to section 6 of the Bill and also expand the detail provided in the appropriation clause. These changes are not designed to alter the substantive law, but to make clear that the appropriation Acts are subject to the relevant FMA Act provisions.

A number of other minor technical improvements have been made to the Bills to ensure consistency with the drafting of other legislation.

I commend the Bill to the Senate.

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HIGHER EDUCATION SUPPORT AMENDMENT (VET FEE-HELP ASSISTANCE) BILL 2008

This Amendment Bill is to implement the original policy intent of the VET FEE-HELP legislation passed through the Parliament last year. That legislation extended the FEE-HELP student loan scheme to important parts of the vocational education and training (VET) sector, but it was poorly framed and now requires the corrections set out in this Bill in order to operate effectively.

Consequently it has fallen to this Parliament and to the Rudd Labor Government to fix the incompetence of the Howard/Costello Government and specifically the incompetence of the former Minister for Education who is now the Deputy Leader of the Opposition.

It is to be regretted that Parliamentary time needs to be devoted to this patch up job. But unfortunately there is no choice. If the errors in the current legislation are not corrected that will have budgetary consequences.

The objective of VET FEE-HELP is to provide an Australian Government loan to ease the upfront financial burden for full fee-paying students in high level vocational education and training courses, including Diploma and Advanced Diploma courses that have appropriate credit transfer into a higher education award.

Specifically the Amendment will ensure that:

- VET FEE-HELP is restricted to eligible full-fee paying students in Diploma, Advanced Diploma, Graduate Certificate and Graduate Diploma courses; and
• VET providers have credit transfer arrangements with a higher education provider in place for each VET accredited Diploma or Advanced Diploma qualification.

As it stands the current legislation does not achieve these aims and if left without amendment could result in an unintended extension of FEE-HELP far beyond the stated intention.

Such extension is not budgeted for in the forward estimates and could prove extremely costly. In the current inflationary climate such an unintended expenditure cannot be justified.

The current legislation fails to adequately set out the fee arrangements under which VET FEE-HELP can be offered to a student, leaving this wide open to a full range of VET courses. The proposed amendments ensure that VET FEE-HELP is to be made available only to students paying full fees, and a mechanism is put in place to ensure that the Minister has clear information from VET providers on this matter.

Further, the current legislation does not ensure that, in order to offer VET FEE-HELP to students, VET providers must have credit transfer arrangements in place. This is corrected in the proposed amendments.

Increasing Australia’s productivity is critical to our future economic prosperity and enhancing the skills and capacity of our workforce is a key to productivity. VET FEE-HELP provides a strong financial underpinning to help more Australians gain essential skills through vocational education and training.

VET FEE-HELP enhances opportunities for individuals to pursue study in the vocational education and training sector at the Diploma level and above without the disincentive of upfront payment of full fees. FEE-HELP loans are not subject to income and assets tests and repayments do not commence until an individual’s income is above a minimum repayment threshold.

VET FEE-HELP will create opportunities for Australians to pursue new careers or lift their qualification levels to Diploma, Advanced Diploma, Graduate Certificate or Graduate Diploma. It opens the way for greater movement between vocational education and higher education. Aligning student financing arrangements between the sectors reduces the funding inconsistencies which can sometimes get in the way of students seeking to move between the sectors. It also eases the administrative load for multi-sector providers of both VET and higher education.

We anticipate that over the next four years more than 6,000 students will benefit under this scheme.

Higher level VET qualifications are the way of the future for skills development – and the Rudd Labor Government has made them a centrepiece of its Skilling Australia for the Future policy.

Our Skilling Australia for the Future policy will increase and deepen the skills capacity of the Australian workforce. The Government’s plan for our future skilled workforce will close the skills gap in the Australian economy in three key ways: Firstly, by funding an additional 450,000 training places over the next four years.

The first 20,000 of these new training places will be available from April 2008. These initial places will be directed to those outside the workforce and will help many Australians gain employment and stimulate workforce participation rates.

Secondly, we will ensure that most of the 450,000 places lead to a higher level qualification.

The new places will offer high-quality training opportunities which better suit the needs of our economy in the future. In an increasingly globalised world, we need to increase not only the number of Australians with skills and qualifications, but also the depth of skills in our workforce if we are to drive up productivity and compete internationally.

The Business Council of Australia estimates that nearly half of the qualifications needed to meet the predicted demand for skilled workers over the next decade will need to be at Certificate III level or above.

A 2007 study by the National Centre for Vocational Education Research highlighted the importance of associate professional occupations in the context of globalisation, technological change and the changing nature of work yet shows that in recent years there has been a decrease in the level of participation in Diploma and Advanced Di-
ploma qualifications in the vocational education and training sector. 

Thirdly we are placing industry demand at the heart of the skills training system through setting up Skills Australia and by strengthening Industry Skills Councils.

The Rudd Labor Government’s Skilling Australia for the Future policy will give skills training in critical high-level skills a much needed boost. VET FEE-HELP provides an important underpinning for growing participation in high-level skills training.

I commend this Bill to the Senate.

SOCIAL SECURITY AND VETERANS’ AFFAIRS LEGISLATION AMENDMENT (ENHANCED ALLOWANCES) BILL 2008

This Bill delivers on the Government’s $4 billion election commitment to help older Australians, carers and people with disability make ends meet.

It will give much needed financial support to around three million eligible Australians who are finding it increasingly difficult to make ends meet, including pensioners and self-funded retirees.

This Government understands the cost of living pressures faced by many in our community.

Increases in the cost of living and staple items like food and housing mean those on fixed incomes and those caring for the most vulnerable in our society need our support.

That’s why the Government is acting to help with these pressures.

Since being elected, we have already announced an inquiry into grocery prices, and we are delivering on our commitment for a full-time petrol commissioner.

Today we are delivering on another commitment, to increase utilities and telephone allowances for eligible seniors, carers and people with disability.

This bill will amend the social security law, the Veterans’ Entitlements Act 1986 and the Military Rehabilitation and Compensation Act 2004 to give increased, and more timely, financial support to older Australians, people with a disability, carers and veterans.

Through these measures, these Australians on fixed incomes will be able to plan more easily to meet their regular financial commitments.

First, the bill will help older Australians receiving income support payments such as age pension and veterans’ service pension by significantly increasing the utilities allowance. This measure will benefit over 1.7 million aged income support recipients, 250,000 Commonwealth seniors health card holders, 700,000 disability support pensioners and 120,000 carer payment recipients. The annual rate of utilities allowance will increase from $107.20 to $500, and will be paid in quarterly instalments of $125 for singles and eligible couples combined. This equals a total annual payment of $500 for singles and $250 for each member of a couple. We understand that these bills come in four times a year so that’s why the allowance will be paid quarterly. Paying the allowance regularly gives older Australians peace of mind and certainty that they will have the funds on hand to pay their bills.

Secondly, the bill expands the qualification criteria for utilities allowance to cover people under pension or qualifying age and receiving a carer payment, a disability support pension, an invalidity service pension, a partner service pension, an income support supplement, a bereavement allowance, a widow B pension or a wife pension. This equals a total annual payment of $500 for singles and $250 for each member of a couple in one of these new groups.

Under these first two elements, more Australians will receive more support to help with their utilities costs.

Thirdly, the bill significantly increases the rate of seniors’ concession allowance, which is paid to self-funded retirees, from $218 to a total annual payment of $500 for each eligible individual. In another change to make life easier for seniors, this higher rate will also be paid on a quarterly basis on the same days as utilities allowance.

Lastly, the bill provides a higher rate of telephone allowance for older Australians, carers and people with a disability if they receive income support and have an internet connection at home. The new rate of $132 a year for singles will be available to those who have a home internet connection, an
increase from the standard rate of telephone allowance of $88 a year.

The higher rate of telephone allowance will also be available for eligible veterans and their dependants who have an internet connection at home.

The Government understands that, in today’s Australia, the internet is a critical means for families to stay in touch with their loved ones. Some Australians on income support pensions and payments can be at risk of becoming isolated from the community, and that’s why we are helping them stay in touch with friends, children and grandchildren around the country and the world, via the internet. Affordable home access to the internet has the potential to connect them with a new world of communication, information and entertainment.

The Government is proud to be delivering on these important election commitments.

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TAX LAWS AMENDMENT (2008 MEASURES No. 1) BILL 2008

This Bill makes a number of improvements to Australia’s tax and superannuation laws.

Firstly, this Government is honouring an election commitment to remove tax deductibility for donations made to political parties, candidates and members. This commitment was made as part of ‘Labor’s $3 Billion Savings Plan’, which was announced by the Minister for Finance on 2 March 2007.

Currently deductions are allowed for donations to political parties, members of parliament, and candidates including independents up to a maximum of $1,500.

Donations and membership fees used to be deductible up to a lower $100 threshold prior to 2006 when the former Government implemented an increase up to the current $1,500 and expanded the deduction to donations to independent candidates and members and to donations by business.

To ensure that there is no loophole for business to access a deduction for political donations, these amendments also remove general deductions for business taxpayers for contributions and gifts to political parties, members and candidates.

This came at a cost of $10 million per annum to Australian taxpayers, which will now be saved by the adoption of this measure. This measure thus forms part of the Government’s overall examination of efficiency measures.

Secondly, superannuation lump sums paid to persons with a terminal medical condition will be tax free. This change assists in relieving financial stress which terminally ill persons and their families may be suffering due to their situation. The amendments have effect for payments made on or after 1 July 2007.

Under the existing law, the taxation treatment of a lump sum paid from a superannuation fund depends on the age of the person receiving it and whether or not the benefit has previously been taxed in the fund. A lump sum paid from a taxed fund to a person below age 55 is taxed at a maximum rate of 21.5 per cent (including the Medicare levy).

Under the proposed change, a superannuation lump sum paid to a person who has a terminal medical condition will be tax free. The details of what constitutes a ‘terminal medical condition’ will be prescribed in regulations which will be made following the passage of this Bill.

I note that the previous Government announced on 11 September 2007 that it would amend the tax law, with effect from 12 September 2007, so that superannuation lump sums paid from that date on to individuals with a terminal illness would be tax free. This Bill, however, ensures that such superannuation lump sums will be tax free earlier from 1 July 2007. This will ensure more people with terminal illnesses will be able to withdraw superannuation tax free.

I thank the Member for Grayndler for bringing this to the attention of the previous Government and for campaigning so strongly on this issue.

Schedule 3, which like Schedules 5 and 6 was introduced by the former government in Tax Laws Amendment (2007 Measures No. 6) Bill 2007, provides a concession for the costs of establishing a carbon sink forest. This measure will encourage the establishment of carbon sink forests and, in turn, make an important contribution to carbon sequestration and deliver natural resource management benefits. Establishment costs
will be immediately deductible for trees established in carbon sink forests in the 2007-08 to 2011-12 income years inclusive. After this initial period, establishment costs will be deductible over 14 years and 105 days at a rate of 7 per cent per annum.

To be eligible for the deduction, the taxpayer must be carrying on a business and the carbon sink forest must meet Environmental and Natural Resource Management Guidelines.

Separately to this Bill, it is important to highlight that the Government is developing a national standard for robust and transparent carbon offsets. The standard will ensure consumer confidence in the carbon offset market and include minimum standards and appropriate verification protocols.

Mr Speaker, unlike the opposition the Government takes the issue of climate change seriously. I am particularly proud to be a part of a Government that signed the Kyoto protocol—one of the first actions of the new government.

The measure contained in this Bill is just one small step in the fight against climate change.

Schedule 4 extends the beneficiary tax offset to the Equine Workers Hardship Wage Supplement Payment.

This payment is made fortnightly to individuals who can demonstrate loss of their primary source of income, which is earned in the commercial horse racing industry, as a direct result of the Equine Influenza outbreak and its associated quarantine and movement restrictions. The amount of the payment varies depending on the applicant’s circumstances and may be equivalent to the single rate, couple rate or single with dependent child rate of the Newstart Allowance.

Extending the beneficiary tax offset to the Equine Workers Hardship Wage Supplement Payment will ensure consistent taxation treatment with the Newstart Allowance, and applies to payments of the Equine Workers Hardship Wage Supplement Payment received in the 2007-08 income year.

A number of workers and businesses in the horse racing industry have suffered financially as a result of the equine influenza outbreak of last year. Workers involved in commercial horse-dependent industries, who have lost their job or most of their income, and sole-traders whose incomes have effectively ceased such as transport operators and riding coaches, have been eligible to receive the equivalent of Newstart Allowance. This will ensure that no tax is payable on the payment if the only income received by the recipient is the Payment.

Schedule 5 provides tax free status to grants under the Tobacco Growers Adjustment Assistance Programme 2006, to tobacco growers who undertake to exit all agricultural enterprises for at least five years. The grants are being paid following the loss of a market in Australia for domestically grown tobacco. This measure assists tobacco growers to adjust to the fundamental change in their market and to develop alternative businesses.

Tobacco growers can receive up to $150,000 under the Tobacco Growers Adjustment Assistance Program to assist them to exit the tobacco growing industry and move into alternative business activities. In 2006, legal tobacco production ceased in Australia, the last state in which tobacco production ceased was Victoria. Licences to produce tobacco can only be issued by the ATO where a grower has formal arrangements to sell tobacco to manufacturers and there are currently no licences on issue.

Ensuring these payments are tax free will ensure that tobacco growers receive the full benefit of the grants to help them move into other industries.

Schedule 6 makes minor technical amendments to the early withdrawal provisions to the farm management deposits scheme. The changes will align the tax law with the current practice for declaring either all primary producers in a geographical area, or specified primary producers within a geographical area, to be in exceptional circumstances.

This amendment will improve the farm management deposit scheme by ensuring that all primary producers, who are eligible for early withdrawal due to exceptional circumstances, will retain the tax benefits.

It is particularly important to assist farmers where we can who are suffering from the drought.

Full details of the measures in this Bill are contained in the explanatory memorandum.
Debate (on motion by Senator Faulkner) adjourned.

Ordered that Appropriation Bill (No. 3) 2007-2008 and Appropriation Bill (No. 4) 2007-2008 be listed on the Notice Paper as one order of the day, and the remaining bills be listed as separate orders of the day.

AGED CARE AMENDMENT (2008 MEASURES No. 1) BILL 2008

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 1) 2007-2008

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 2) 2007-2008

Assent

Message from His Excellency the Governor-General was reported informing the Senate that he had assented to the bills.

BUSINESS

Rearrangement

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.56 pm)—I move:

That intervening business be postponed till after consideration of government business order of the day no. 3 (Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008).

Question agreed to.

FINANCIAL SECTOR LEGISLATION AMENDMENT (REVIEW OF PRUDENTIAL DECISIONS) BILL 2008

Second Reading

Debate resumed from 13 February, on motion by Senator Ludwig:

That this bill be now read a second time.

(Quorum formed)

Senator MURRAY (Western Australia) (5.59 pm)—I rise to speak on the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008, which I will address very briefly as I am due in the chair soon. The Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill has measures which simplify and improve existing processes and add accountability. On those grounds, the Australian Democrats support the bill without amendment. The bill amends the Banking Act 1959, the Insurance Act 1973, the Life Insurance Act 1995 and the Superannuation Industry (Supervision) Act 1993, collectively known as the prudential acts. It amends the Retirement Savings Accounts Act 1997 and the Financial Sector (Collection of Data) Act 2001. It aims to improve the efficiency, transparency and consistency of the process for disqualifying individuals from operating financial sector entities and enhances the accountability of the regulator for administrative decision making under the prudential acts, the RSA Act and the Financial Sector (Collection of Data) Act.

The amendments introduce a court based process for the Australian Prudential Regulation Authority when seeking to disqualify an individual from operating an entity regulated by APRA. They streamline APRA’s directions powers where appropriate, remove ministerial consent from and expand the availability of merits review for appropriate administrative decisions made by APRA under the prudential acts and the FS(CoD)A. There are four schedules. Withdrawing the minister from particular consent requirements and increasing APRA’s powers are good advances in terms of the appropriate delegation of powers and the proper responsibility of an independent, objective authority in these matters. These changes were developed under the previous government’s aegis and are very useful and helpful in the proper operation of APRA’s responsibilities. Therefore, the Democrats will support the bill in full.
The opposition supports the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008. I want to make a few brief remarks. The bill responds to recommendations in Rethinking regulation: report of the taskforce on reducing regulatory burdens on business that are relevant to prudential decision making, as well as recommendations made by the HIH Royal Commission. The bill simplifies regulation of the sector and ensures that the Australian Prudential Regulation Authority, or APRA, is able to act decisively to address risks in the financial system. At the same time, it enhances the review mechanisms available to individuals and entities affected by prudential decisions made under financial sector legislation.

There are four main objects, which I will mention briefly. The bill introduces a court based disqualifications process, based on fit and proper grounds, disqualifying individuals from roles of responsibility under APRA regulated industries governed by the Banking Act, the Insurance Act, the Life Insurance Act and the Superannuation Industry (Supervision) Act. This process is consistent with the court disqualification regime in the Corporations Act and is a necessary alignment. APRA’s power to issue directions to deal with prudential concerns will be harmonised across the different acts, which currently give APRA separate authorisations. APRA’s decision to issue a direction will be subject to merits review. The bill removes the requirement of ministerial consent for certain APRA and Australian Taxation Office decisions that do not involve policy issues—for example, the licensing of a trustee of a superannuation entity. Some ministerial powers will remain, where they relate to national interest matters. Lastly, the bill expands the availability of merits review for decisions by APRA and the Australian Taxation Office under the SI(S) Act.

The bill is, effectively, the reintroduction of a bill with the same title that was introduced by my colleague the Hon. Peter Dutton MP, the then Minister for Revenue and Assistant Treasurer, on 13 September 2007 and that lapsed on the calling of the election. That bill contained a number of transitional provisions, the commencement of which depended on the commencement of other bills. One of those bills has since been enacted. Consequently, certain commencement date provisions have been changed in the 2008 bill. The bill raises no additional material issues that had not been considered by the previous government, and the opposition will be supporting the bill.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (6.06 pm)—I thank all senators who have contributed to the debate on the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008, and I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Debate resumed.

(Quorum formed)

Senator ADAMS (Western Australia) (6.09 pm)—Today I have the privilege to pay tribute to a man described by the Governor of Western Australia, His Excellency Dr Ken Michael AC, as someone who will be remembered as ‘a great Western Australian and a great Australian, whose pioneering vision and leadership provided the foundations for
the economy of Western Australia that we all enjoy today’. That man is, of course, the Hon. Sir Charles Court AK, KCMG, OBE, a former premier of my home state of Western Australia, who passed away in Perth on 22 December 2007 at the wonderful age of 96. Sir Charles Court had a remarkable life which included a 29-year political career, with 20 years as a minister and eight years as a premier.

Born in the Sussex town of Crawley on 29 September 1911, he came to Australia from the United Kingdom with his parents in 1912. His parents were working-class battlers. His father was a master plumber and trade unionist, whilst his mother worked as a domestic. As boys, Charles and his brother Sydney delivered papers and did odd jobs to help supplement the family income. He showed considerable musical talent as a cornet player and at 14 years of age joined the musicians union, playing in the annual May Day parades. In 1930 he won the brass solo section of the national band competition, being named the champion of champions. This musical ability was not always a blessing, as he found out later, upon entering the military.

On leaving high school, Charles Court’s goal was to study law, but his parents could not afford the university fees. Undaunted, he studied accounting at night school and was articled to a firm of auditors. No doubt it was a first for his family, given their working-class roots, to have their son enter a profession. Eventually he qualified as an accountant and went into his own practice in 1933. In 1938 he became a foundation partner of the accountancy firm Hendry Rae and Court, now known as Grant Thornton, and remained as a partner of the firm until 1970. He was a life member of both the Institute of Chartered Accountants and the CPA and in 1983 was named the Australian chartered accountant of the year.

Between the two world wars, Charles Court completed national service and then volunteered with the 44th Battalion of the Australian Army. However, because of his skills as a musician, a band trainer and a conductor with the RSL Memorial Band, he found he was seconded to the band in both cases. Anyone who knew Sir Charles would agree that he always wanted to be right in the thick of the action, so upon his enlistment to serve in World War II he took steps to ensure he was not relegated to the band yet again. He enlisted in the AMF, with the RAASC, with a view to being transferred to the AIF as an infantryman as soon as possible.

He soon rose through the ranks, from private to lance corporal, corporal, lance sergeant and sergeant, and received a commission, lieutenant and temporary captain. He went to great lengths to avoid service with the band. An opportunity arose for him to transfer to the AIF and he was posted as a lieutenant to the 1st Armoured Regiment at Puckapunyal. Promotion to captain and adjutant of the division’s ASC support group followed.

Following service in Mingenew, Western Australia, he was promoted to temporary major and then transferred to the Northern Territory. The Japanese were by now bombing Darwin and the nation was under serious threat of a Japanese invasion from the north. Under the command of General Allen, Court led a team which undertook a military appraisal of the possibility of using Darwin and the Northern Territory as a base for offensive operations against the Japanese. General Blamey, Commander in Chief, accepted his plan. Having attained the rank of major, Charles Court was posted to the 2nd Australian Army Corps in Bougainville, New Guinea, where he served until the Japanese surrendered.
One of his final World War II duties was to head up a small infantry force to Buin in Bougainville to disarm and disperse the main body of Japanese forces on the island. He was demobbed in 1946 and returned to civilian life, but not before having earned an OBE for his service between April and September 1945 in maintaining and coordinating communication and supply lines in the outer islands. It was typical of his humour that Sir Charles always insisted that the OBE stood for ‘the other bloke’s efforts’.

Civilian life offered new challenges. In 1946 Charles Court joined the Liberal Party, then known as the Liberal and Country League, in Western Australia and in 1953 he successfully stood for the seat of Nedlands. The party was in opposition until the 1959 state election. Following the defeat of the Brand government at the 1971 election, the leader, Sir David Brand, retired and was replaced by Charles Court in May 1972. Two years later, in 1974, Charles Court found himself the Premier of Western Australia after the Liberal-Country Party coalition defeated the Tonkin Labor government.

As Minister for Industrial Development and the North West in the Brand government from 1959 to 1971, Charles Court grasped the enormity of the wealth potentially available to the state of Western Australia through the mining resources being developed at that time. In relation to the mining industry he was and will long remain the father of the boom.

As Premier, Charles Court convinced the federal government of the time to lift its ban on exporting iron ore from the Pilbara region of Western Australia to the nation of Japan, which only two decades earlier had been our wartime enemy. As a result, companies such as BHP Billiton and Rio Tinto grew out of the riches generated by the vast mineral deposits of the Pilbara region. He was condemned by many for building the 1,600-kilometre Dampier to Bunbury natural gas pipeline at a cost of $1 billion—a figure unheard of in those days in a state populated by fewer than one million people.

History, however, has proved his vision to be spot-on, with the pipeline now undeniably the industrial artery of the state, underpinning huge export and job-creating industries such as Alcoa’s alumina refineries. In fact, the foundations for the huge growth which Western Australia continues to experience today were laid by Sir Charles Court. It is not exaggerating to say that, without the vision and energy of Sir Charles Court, Western Australia may still be coming cap in hand to Canberra to seek special financial assistance, as it did in the 1930s. Now, thanks largely to his efforts, Western Australia generates massive wealth from its natural resources each year, much of which goes into Commonwealth coffers for the ultimate benefit of all Australians.

Sir Charles was a firm believer in the need for a strong bureaucracy to reduce the amount of red tape and get the job done. He hired quality staff, listened to them and gave them the necessary support and responsibility to complete the task. Sir Charles established the Department of Resources Development as a ‘one-stop shop’ for resources developers, something unheard of prior to that time. Many people with an industry background could be found in this department during Sir Charles’s time as Premier, with his mandate and support to guide and, if necessary, push developers through the bureaucratic obstacle course which stood between them and their ultimate goal.

It is worth remembering that in the 1960s Australian industry still enjoyed the buffer of government tariffs, which provided assistance with preferential deals and protected market access. In order to bring Australia’s
resources sector to a state of international competitiveness, Sir Charles adopted a ‘no favourites’ approach in his aim to use the state’s huge iron ore and gas resources to develop an internationally competitive local industrial base. Local businesses in WA needed to compete with the world, even on their competitors’ own home turf, something which has stood them in good stead ever since.

Many people have paid tribute to his persistence and determination to achieve his goal of seeing his beloved Western Australia—not ‘West Australia’; it always had to be ‘Western Australia’—transformed from a Cinderella state into an economic powerhouse. My Liberal state colleague the Hon. Norman Moore MLC put it this way:

In my view, he’s the greatest Western Australian ever. I doubt the resources development we have now would have started in the same magnitude it did if it wasn’t for him. He didn’t want WA to be a mendicant State. He was determined WA would pay its way and be a unique contributor to the Commonwealth. He could see that WA could have a world class resources industry when most people didn’t think we were in the game. He had the drive, tenacity and intelligence to make it happen.

Charles Court was always a champion of state rights, undertaking legendary epic battles with Commonwealth governments of both political persuasions to ensure that Western Australia received a fair go from the ‘centralists’ in Canberra. Perhaps not quite so well known was Sir Charles’s commitment to the arts and culture in Western Australia. During his term of office, he oversaw the inauguration of Murdoch University, the restoration of His Majesty’s Theatre, the construction of the Perth Entertainment Centre and the opening of the Art Gallery of Western Australia in 1979 as part of the new Perth Cultural Centre.

But, in paying tribute to Sir Charles’s achievements, I do not want to overlook his endearing human qualities. He was a fine husband to Lady Rita Court, his first wife, and a great father to their five sons, Victor, Barry, Ken, Richard and Geoffrey. After Rita died he got married again, at the grand age of 85, to Judy, to whom he was likewise devoted. At the memorial service, his son Ken said:

There is something in seeing your old man married at 85 and still with a twinkle in his eye that gives great confidence for one’s own future.

In fact, I recall that he was still in good form at the celebrations for his 95th birthday, enthusiastically conducting the City of Perth Band. The Hon. John Howard MP, who was Prime Minister at the time, said in his tribute speech on that occasion:

If you think back over the last 50 years, no figure in public life has done more to promote resource development in this State (Western Australia)—and therefore Australia—than Sir Charles Court. The contribution, through that energy, that he has made to the contemporary wealth of Australia has been enormous.

Many people have a story to share about how Sir Charles Court touched their lives. For me, two in particular demonstrate his compassion and concern for his fellow citizens. The first concerns the Hon. Bob Kucera MLA, who is now the Labor member for Yokine in the WA parliament. When Mr Kucera was a ‘lowly detective constable’, as he puts it, Sir Charles summoned him to lunch. At the time, Mr Kucera’s family then became targets of a ‘terror campaign’ waged by supporters of the would-be bombers. Mr Kucera recalls:
Sir Charles didn’t want to know about the case—what he did want to know about was my wife and my children. He showed a deep and genuine concern. I was amazed that this man who was then at the pinnacle of his success would go to such lengths, firstly to support me as a young police officer and recognising the role of coppers in a community, but more importantly, the recognition he was giving to the family and children of a police officer.

The second story concerns former Western Australian Labor Premier John Tonkin, whose government was defeated in 1974 by the Liberal-Country Party Coalition, with Sir Charles Court at the helm. As premier Sir Charles had a healthy respect for Tonkin, and the feeling was mutual. Over time, their respect for each other turned into a close friendship. Towards the end of his life, John Tonkin was visited in his Como nursing home by Sir Charles Court every Thursday morning precisely at 9.50 am, just in time for morning tea at 10 am. The timing of his visits to John Tonkin reflected his lifelong maxim: ‘If you’re not ten minutes early, you’re late.’ This was something he reminded me of each time we met. He would tap his watch and then gesture with his hand to say, ‘Right, you’re okay; you’re here 10 minutes early.’

It is well known that Sir Charles thrived on an average of four hours sleep per night. It is said he wore out four press secretaries during his time as Premier, at least one of whom was reputed to have had a nervous breakdown. Despite the heavy workload, he made sure he was home for dinner every night with the family, even when state parliament was sitting.

In death, as in life, Sir Charles Court commanded great respect from both sides of politics. His memorial service at Winthrop Hall at the University of Western Australia was planned, from start to finish, by him. The congregation were asked to arrive 30 minutes early to enjoy the music he had specially chosen, which included *Sussex by the Sea*, a reference to his birthplace in England; love songs, like *Take a Pair of Sparkling Eyes* and *My Love is Like a Red, Red Rose*, and other wonderful selections. High in the balcony, cornets and trumpets played, among other tunes, the prelude to *Te Deum*. Towards the end of the service, the *Last Post* was played, followed by a minute’s silence, then the *Ode to the Fallen* was recited, followed by *Reveille* on the bugle.

His memorial service was attended by a diverse range of people from across the whole of the political spectrum, including the Governor-General, Major General Michael Jeffery; former prime ministers Malcolm Fraser and John Howard; the current WA State Premier, the Hon. Alan Carpenter MLA; the Minister for Foreign Affairs, the Hon. Stephen Smith MP; the leader of the federal opposition, Dr Brendan Nelson MP; numerous current and former federal and state Liberal members of parliament; captains of business and industry; and 1,000 ordinary Western Australians who just wanted to pay homage to this incredible leader and wonderful human being.

His granddaughter, Elizabeth Laurence, told the congregation that her grandfather prayed for each of his 18 grandchildren every night, told them that love made the world go around, and phoned them on their birthdays wherever they were in the world. ‘That made me feel pretty special,’ she said. Sir Charles was also the great-grandfather of 19 great-grandchildren. His five sons are all high achievers who continue to participate strongly in Western Australia’s community life.

Richard, himself a former Western Australian Premier, said, ‘We have been blessed to have a dad who had such a strong commitment of family and certainly a selfless sense
of duty to whatever responsibility he undertook.’ Victor, his eldest son, said that not many people outside the family saw Sir Charles’s caring, understanding and compassionate side. Barry said that the family is only now learning how many people Sir Charles assisted, encouraged and supported during his life. The note I received from his son, Geoffrey Court, ends with, ‘He’s set us a great example of family life—the most important thing for him.’ There are plans to erect a permanent memorial in the form of a statue of Sir Charles Court, possibly on Florence Hummerston Reserve overlooking the resources precinct in St George’s Terrace, Perth. This location would be symbolically significant, given Sir Charles’s role in the development of the North West Shelf.

I believe it will be a very long time before we see another leader of Sir Charles Court’s stature, vision and humanity, if ever. He was indeed a national treasure and I am very proud to have known him.

Senator SIEWERT (Western Australia) (6.26 pm)—I would like to start by acknowledging the traditional owners of the land on which we meet, the Ngunawal people. It was a great pleasure to be at the first welcome to country that we had in this place on 12 February. I congratulate the government for having made sure that that happened. It was also a great privilege to be at this place when the apology was finally made.

It is very important that the commitment to an ongoing welcome to country is maintained in this place. It was a privilege to hear the Prime Minister of Australia finally apologise for the deliberate government policy of removal of Aboriginal and Torres Strait Islander children from their families. I think the new government has made a very promising start in that area, and I will go into that in more detail. I also think the new government perhaps was surprised by both the extent and strength of public reaction to the apology. I have heard many stories of schools in Western Australia—it was seven o’clock in the morning—where children gathered to watch the telecast. As we know, people gathered in central places in the capitals of Australia, but I have also heard many tales of people gathering around the televisions at their workplaces and holding impromptu events. I think that displays the extent to which the apology touched this nation.

I think we need to pay great heed to this reaction. I am hoping it reflects a new spirit of openness within the Australian public to move forward on these issues. This is why I think it is important that the new Rudd government pushes forward with its promise of a new day dawning for Aboriginal Australians. But the Greens also very strongly believe that we need to do more than make an apology. We need to do more than just commit to closing the gap on health and education, and all the other areas of disadvantage that Aboriginal Australians suffer today in this country. It requires a commitment to advance the issue of Aboriginal representation and rights. And it is pleasing to see the government commit to a promise of evidence based policy, when it addresses its views on the Northern Territory intervention, to ensure that Commonwealth investment in Northern Territory Aboriginal communities actually delivers on-the-ground benefits that address the priority needs of these communities. The absolute key is in partnership and consultation with these communities.

During estimates, an answer to questions that I was asking about the way money has been invested under the intervention was that $72.4 million, which was the largest share of the money, had been invested in income quarantining. That is not actually money going to communities; that is administration in setting the process up. Only $1.3 million at
that stage had been invested in better outcomes in education and I think that $7.2 million had been invested in families. At the time of estimates no extra childcare workers had been put in place, and safe houses were only just being established. The key things that you would have thought were necessary to address child abuse, such as putting in place safe houses and extra child care and child protection workers—things that you would think would be the absolute first priority—were yet to be put in place, although we had managed to spend $168 million at the time. And $30.8 million had been invested in housing but that housing was in fact for the government business administrators and other persons, and for surveying the townships, as I understand it. The then government was never able to explain how taking control of townships protected children. This new government has still not been able to explain how that equates to protecting children. But $30.8 million had been spent putting houses in place for the business managers and, as I understand it, no housing, or very little, has actually been provided to Aboriginal community members themselves.

We will continue in that area to push the government on their evidence based policy. Certainly the evidence I have seen to date indicates very strongly to the Greens and to me that we need a change in direction on the NT intervention. We certainly do not want to follow the same example of the NT intervention for the foreshadowed involvement in the Kimberley, in my home state of Western Australia, where things are also pretty dire in many Aboriginal communities. We certainly do not want to see the government taking the NT intervention model and replicating it in Western Australia. I understand that the minister will be visiting the Kimberley very shortly and, hopefully, really consulting very strongly with the local community about the government’s future involvement in the Kimberley.

The Greens very strongly support—and I will put it on record again—the federal government investing and providing resources to address Aboriginal disadvantage and other issues confronting the Northern Territory. We disagree with the way that the government chose to do it and we certainly disagree with exempting the intervention from the Racial Discrimination Act. We certainly disagree with compulsory income quarantining so that it is used indiscriminately. During the last sitting in this place I addressed some of the concerns, and the evidence and events that have been happening around that. We certainly oppose the removal of the permit system and I look forward to debating the government’s bill, which they plan to bring in very shortly, around the restoration of the permit system. I look forward to seeing more details from the government about the review, which I understand and hope will be a thorough review, of the NT intervention in a couple of months time when the 12-month period comes up.

I have read the speech of the Governor-General. He outlined quite an ambitious agenda, an agenda which I feel does not quite go far enough. There are some very good elements to it, making some effort to look to and plan the future to re-engage the community and civil society. As I have outlined in this place before, the Greens have very strong concerns about the attacks that were made on civil society under the 11 years of the Howard government. I have articulated in this place before our concerns about that and, in particular, concerns about attacks that were made on the non-government community and about the politicisation of some elements of the Public Service. We are certainly pleased that the government agenda is starting to address some of the gaps and measures that were brought
in under Howard, to try to bring some fairness back into our social policy.

However, we are concerned that the agenda is a bit short on how the government are going to implement it. We are also concerned about what is left out. The government talk about responsible economic management and the need to confront inflationary pressures but leave out any mention of why the government still insist on delivering the me-too promise of the $31 billion of inflationary and unnecessary tax cuts for the middle classes. They talk about closing the gap on Indigenous disadvantage but talk only about health and education and leave out any mention of addressing economic disadvantage and creating greater employment and life opportunities or addressing the chronic gap in safe and appropriate housing. And they make no mention of how they will move forward on the issue I mentioned earlier of Indigenous representation and inclusion in policy development and governance. This is from a government that now has a minister and a parliamentary secretary responsible for social inclusion. One would think that all those things are absolutely essential in addressing a key issue like social inclusion and putting fairness back into Australia.

I also have to ask the question—I have not been able to find the answer and I would love the government to be able to tell me if we have got it wrong: where is the Indigenous representation and the commitment to address the lack of Aboriginal infrastructure in Infrastructure Australia? If we are talking about lack of infrastructure, the most chronic gap in Australia relates to the lack of infrastructure, whether it is in housing, community services, decent water and sewerage, roads—any decent form of service—to Aboriginal communities. It would seem to me that that would be the most urgent thing that Infrastructure Australia needs to be addressing.

The government talks about improving governance and transparency but then focuses on gathering a hand-picked elite—or selection of people through media competitions—to attend the 2020 Summit rather than addressing and outlining in more detail how it will enable greater civil society participation in policy development and dealing with what I consider to be the abuses of the non-government organisations under the previous government. It mentions social inclusion, as I have touched on, but then basically defines that as increasing productivity and workplace participation, as if social inclusion is all about increasing productivity. Well, I am sorry, the Greens have a very different view of what social inclusion should be about. Should it not rather be about ensuring that everybody has a decent quality of life?

Under the social inclusion area, the government does not mention a national property strategy. Where is the program to build resilience and community in those areas that are and have been already identified as suffering? Some people call them poverty postcodes. Where is the program to start working on those areas where multiple measures of social inclusion converge? There is plenty of well-documented evidence on those areas. There is plenty of research to start looking at on what level of intervention is needed in those communities. For example, early childhood intervention is clearly key, but that is not articulated in the government’s social inclusion agenda so far—and I look forward to the further articulation of that particular agenda. I think the government would be well advised to pay very close attention to the Australian Council of Social Service forum that is being held in April in Melbourne.

We of course welcome the commitment to improve workplace fairness and to reform
the industrial relations system in this country. We are deeply concerned that the unfair dismissal provisions do not apply universally and, if you happen to be in a workplace of fewer than 15, it is okay for you to be unfairly dismissed. We are also deeply concerned that the government is waiting so long to address the issues around the Australian Building and Construction Commission. We believe that organisation should be finished and wound up as soon as possible. There are then also issues around right of entry and there is a significant list of what we believe are deficiencies in the government’s workplace agenda. We believe that relates very strongly to addressing the balance between work and family responsibilities, so we are glad to see that there is a commitment to addressing that balance but do not believe that the government’s agenda goes far enough to deal with that.

We have also heard, and the government has articulated, a commitment to more and better services, to an education revolution, to more childcare services, to more training programs to close the skills gap and to serious action on aged care, dental care, rural health services and elective surgery lists. We have heard about a commitment to addressing housing affordability issues and homelessness and also about programs to address climate change. As I have mentioned, there is also a commitment to close the gap in Indigenous health and education. The government keeps talking about the delivery of these services, and these are, we believe, very laudable objectives that we support. But we do not believe you can do this while still delivering $31 billion of tax cuts—and I might add that, in talking extensively to the community and through email correspondence and web mail et cetera, I have only heard two people say, ‘I would rather have tax cuts.’ If you ask Australians today what they would rather have, a tax cut or service delivery, I can tell you what they would rather have. They would rather have service delivery. They want to know that they can go to hospital and be seen within a reasonable time. They want to have access to affordable dental care. They want to be able to access education support and they want to be able to participate in the workplace. They also want to provide for and look after those living with disabilities, for example.

While there may be some areas of budgetary excesses—and I think that the government would do well to look at some of the big pork-barrelling from the days of the Howard government, which there clearly was—there are also programs there that we do not believe should be cut, and I will come to carers in a minute. The government have articulated policy around climate change and water, but guess what? There is a broader environment out there. The government have articulated policy around climate change and water, but guess what? There is a broader environment out there. The government have said extremely little about their agenda on the broader environment. What is happening with the Natural Heritage Trust? What is happening with NHT3? Nobody knows. We have community based and regional NRM organisations that do not know whether they are going to be funded into the future or at what level of funding, and they are losing staff already. These regional groups have been the vehicle that has provided natural resource management throughout Australia, a system that has been refined over the years, and we need to be learning how to better invest in and target our natural heritage trust resources. So, yes, the system needs review and the programs need review. I would be the first to say that. But the fact is the government have not articulated what their environment program is going to be. Senator Bob Brown has spoken at length about the issues around the pulp mill in Tasmania, for example. One of the first decisions the government have made is to support the go-ahead of the pulp mill. If that is the government’s
agenda for the environment, heaven help the environment of Australia. The government need to be articulating very clearly what their environment agenda is and consulting with the community about the future of NHT3.

Then we come to the government’s cost-cutting and the story that has been running in the media over the last couple of days around the carers bonus. Then, of course, we moved on to the seniors bonus. No wonder the government were being portrayed as a careless government. What about fairness? Where is the social inclusion agenda—and I tell you what, my phone was running hot—if they allow carers to think that they are going to be worse off? Any politician in Australia knows about the plight of carers, because Carers Australia and the carers of Australia made it very clear during the election campaign what their agenda was and lobbied very hard to alert Australians to their plight. Instead of taking away their bonus, the government have now clarified that they are not taking it away; they are, as I understand it through the media and some of the comments made in this place this afternoon, considering rolling it into ongoing payments. But that ups the payment by $20 or $30 a week when what the carers have been asking for is a doubling of the carer payment.

There needs to be a superannuation fund for carers because, as we know, carers can work part time at best, and that is often interrupted. Carers do not have adequate provisions put away for their future. There needs to be a coordinated strategy about how to address policy across government. These are the things that carers have been asking for and these are the things that government need to be looking at if they are talking about social inclusion and making Australia fairer. These are the issues that the government need to be thinking about.

What is happening with the CSTDA—the Commonwealth state/territory disability agreement? Those issues still have not been resolved. Issues like access to the workplace and workplace training for people living with disabilities need to be addressed. A good start has been made, but we think there needs to be significantly more progress on the government’s response to developing a fairer and more just Australia. Getting rid of the tax cuts and investing in services that the community is calling for is a very good way to start.

Senator BARNETT (Tasmania) (6.46 pm)—I wish to speak to the issue of the carers bonus. I call on the Rudd Labor government to commit immediately to the carers bonus, and, indeed, the seniors bonus of $500. The government need to provide an ironclad guarantee that the $1,600 annual bonus to carers will remain. We cannot wait until the May budget. The indecision and the word games by the Rudd Labor government over the last five days have been almost laughable. They are causing enormous anxiety to older Australians and vulnerable Australians—those that are disabled, those that have families that are in a very difficult and onerous position. The depth of despair and distress knows no bounds.

This Rudd Labor government needs to wake up and reverse the decision that has been put forward by the department or by their own decision makers which was leaked last week and is now on the public record. So far the response from the Prime Minister, Mr Rudd, and, indeed, his ministers, has been entirely inadequate.

The first response was from the Prime Minister while in the Solomon Islands a couple of days after this was revealed, when the anxiety levels were increasing markedly. It was along the lines that he ‘won’t leave them in the lurch’. What does that mean, exactly?
Weasel words! Then the next day, or the day after, the Prime Minister said that ‘these people won’t be worse off’. What the 400,000 carers, and their families, of Australia need is an ironclad guarantee that the government will commit to retaining the $1,600 annual bonus payment. That is what the carers need.

In my view, the carers in Australia are the unsung heroes of this nation. They are providing billions of dollars in savings to the economy each year. The time and compassion that they give to their charges is immeasurable. To even contemplate placing further financial burdens on them is inconceivable to me.

I want to draw the chamber’s attention to the responses to these matters of both the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, and the local member for Bass, Jodie Campbell. Both of them have said publicly that these payments were a ‘one-off’. They were not one-off payments—that is categorically wrong. They were paid each year, and every year, for the last four years.

Senator Chris Evans—Read your budget papers!

Senator BARNETT—Senator Evans knows that, as does every member of the Senate Labor Party, and as does the Prime Minister. Why won’t you give an ironclad guarantee, Senator Evans? Why won’t you? There are 400,000 Australians out there that want to know.

Debate interrupted.

DOCUMENTS Consideration

The government documents tabled earlier today were called on but no motion was moved.

**ADJOURNMENT**

The ACTING DEPUTY PRESIDENT (Senator Murray)—Order! There being no further consideration of government documents, I propose the question:

That the Senate do now adjourn.

Women in the Parliament

Senator LUNGY (Australian Capital Territory) (6.52 pm)—When I entered the federal parliament in 1996, I was one of 23 women elected to the Senate. At the time, this represented a huge increase in the percentage of senators who were women: 30.3 per cent, up from 21 per cent. The House of Representatives also gained 23 women representatives, up from 13 in the previous parliament, but this represented only 15.5 per cent of the lower house. Despite Australia being a world leader in winning the right for women to vote and to stand for parliament, by the 1990s we lagged behind many European countries in the number and percentage of women in our parliaments. I will give a bit of a history lesson here. From October 1969 to May 1974, there were no women in the House of Representatives. Only in 1983 did the number of women in total in the federal parliament reach double figures, a jump then from a total of six women to 19 women.

In the 1990s, the United Nations and the Inter-Parliamentary Union looked at the worldwide problem of under-representation of women generally in the world’s parliaments. The objective of achieving political equality for women centred then on the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW, and the Inter-Parliamentary Union plan of action to correct the imbalances in the participation of men and women in political life. We used to talk back in the 1990s about the aim of achieving a critical mass of women in the parliament, and experience from Scandinavian parlia-
ments suggested that this critical mass was about one-third of the total number in the parliament. At this level, it would become easier for women to be pre-selected, to be elected and to influence the parliamentary agenda.

With the federal election of November 2007 and with the most recent state elections we have almost reached this critical mass. The percentage of women in lower houses in the Australian parliaments is 29.8 per cent, and 33.6 per cent in the upper houses. In actual numbers, Labor will have 40 women in this parliament—27 in the House of Representatives and 13 in the Senate—compared with the coalition’s 13 in the House and nine in the Senate. But equity and not just influence should be our goal. When we look today at the composition of the ministry we find that women have the strongest representation yet. Of the present ministry, including positions in the cabinet and outer ministry and parliamentary secretaries, 10—or 21.4 per cent—are women. Federal Labor has a record number of women in cabinet and led the way by electing Julia Gillard as our Deputy Prime Minister.

More than ever before, the ability of women in parliament to influence the agenda is now being demonstrated whenever there are conscience votes on matters affecting particularly women or only women. One example was the repeal of the ministerial responsibility for the approval of RU486 in 2005. Women senators representing the Australian Democrats and the Liberal, National and Labor parties—Senators Moore, Allison, Troeth and Nash—jointly sponsored the Therapeutic Goods Amendment (Repeal of Ministerial responsibility for approval of RU486) Bill 2005 [2006], removing what in my opinion was an incredibly undemocratic power wielded until then by the insensitive Mr Tony Abbott. This whole experience was quite inspiring to me personally and I again commend the efforts of those senators. I was proud to support their bill.

Internationally, the picture on the progress of women’s rights as parliamentarians is in many circumstances often bleak and depressing. In some countries, women parliamentarians are subjected to violence and death threats for their attempts to advance women’s rights. Benazir Bhutto, the former Prime Minister of Pakistan, was killed on 27 December last year. Only in October had she returned to Pakistan from exile, saying: ‘This is the beginning of a long journey for Pakistan back to democracy, and I hope my going back is a catalyst for change. We must believe that miracles can happen.’ In February 2006, a Pakistani cabinet minister, Zilla Huma Usman, had been shot and killed by an assassin who claimed that she was not wearing proper dress and that she was defying Islam by holding a position of leadership. Yet just in the previous November the National Assembly of Pakistan had passed the Women’s Protection Act to protect the rights of women and to help to end excesses against them.

In Afghanistan, since the 2005 election a quota of 25 per cent of the parliamentary seats have been reserved for women. Malalai Joya is the youngest member of the Afghan parliament and works to promote Afghan women. A vocal opponent of both the Taliban and the warlords, her home has been bombed and she has survived four assassination attempts, has received numerous death threats and has been physically attacked in the parliament. Malalai Joya was in Canberra in March last year when she addressed International Women’s Day meetings and met some of us in the Australian parliament. When she returned to Afghanistan she was suspended from parliament—that was in May 2007—for criticising fellow parliamentary representatives. So far, calls for her reinstatement have been unsuccessful. The
United Nations has a trust fund to eliminate violence against women and UNIFEM Australia, who sponsored the visit last year of Malalai Joya, contributes to this global UN fund. I would like to take this opportunity to commend UNIFEM Australia for its work to promote the safety and progress of women worldwide.

Last year, in May, we learnt that the Burmese military junta had again extended the house arrest of pro-democracy leader Aung San Suu Kyi for another year. In the same week as the announcement of the continuation of her detention, approximately 60 of her supporters were arrested. Aung San Suu Kyi has spent 12 of the past 18 years detained by the military, which seized power after the National League for Democracy, established by Aung San Suu Kyi and supporters, won the 1990 elections. Over 1,000 political dissidents are prisoners in Burma. The generals in Burma have announced that they will present a new constitution for public approval in May this year, paving the way for elections in 2010. But they have banned Aung San Suu Kyi from running as a candidate. Australia was once regarded as a world leader in the global struggle for gender equality, and again we should play a part in supporting those brave women who stand publicly to oppose injustice and violence in their countries.

Last year, in an address to mark International Women’s Day, Dr Sarah Maddison said:

It is now clear that in recent decades the nation has resiled from this commitment and undone many earlier achievements.

Now in Australia we again have the opportunity for progress for women generally, and the election of increasing numbers of women parliamentarians will be one step towards this goal.

As we have already seen in Federal Parliament we can achieve an across-party unity of women promoting and voting on issues important to women.

Hopefully, with this will come a heightened social conscience and a willingness to support and assist those in other countries, like Malalai Joya, who have the courage to fight against injustice and violence.

These matters are worth reflecting on at this time, being in close proximity of International Women’s Day in the year 2008. I thank the Senate.

Regional Tasmania: Health Services

Senator Barnett (Tasmania) (7.00 pm)—I stand tonight to condemn the Labor Party for its shabby treatment of regional Tasmania. I am sure the story that I am about to tell is indicative of similar treatment in many other parts of regional Australia. This is the ‘me too’ Labor Party that promised not to rock the boat—the party that gave Australians a clear impression that all would be well under a Labor government because Labor would match whatever the Howard government either had promised or was funding. This was the impression that was deliberately conveyed to voters. Tonight I offer some examples of why you cannot trust the Rudd Labor government and why the people of regional Tasmania, specifically in the remote communities of Rosebery, on the west coast, and Ouse, in the central highlands, simply cannot accept the word of the Prime Minister, Kevin Rudd, and of the federal Labor Party.

What happens when a political party breaches the faith placed in it by the voters? Last year, former Prime Minister John Howard earmarked $2 million for the Rosebery and Ouse hospitals—$1 million each to keep the hospitals operating, subject to their being restored to previous operational levels. Senators in this chamber may recall that earlier last year the Lennon Labor government in Tasmania had downgraded the services of both hospitals to suit a new state health plan,
which included the construction of a massive Taj Mahal style public hospital in Hobart costing around $1 billion over the 10-year period.

Senator Chris Evans—Taj Mahal?

Senator BARNETT—Yes, indeed, it will be, Senator Evans. Some of the $45 million each year that the state government would subsequently save from John Howard’s decision to take over the running of the Mersey hospital—now put at more than $60 million per annum—would then be used in part to revive services at both the Rosebery and Ouse hospitals. But this was not a great call on state coffers. I want to put on the record that, in the state budget figures, the Ouse hospital deficit was running at approximately $106,766 in 2006-07. At Rosebery the deficit was a meagre $214,786. That came to less than one per cent of the money freed up from the Mersey takeover. So, for the 2007-08 year, the operating cost to run both hospitals was less than $3 million, or five per cent of the money freed up from the Mersey takeover.

The federal government promised Tasm ansians that every single dollar would be spent in the north. Indeed, the state minister for health, Lara Giddings, promised at a public meeting in Launceston, which I and many hundreds of other Launcestonians and nor therners attended, that every cent would be spent in the north and north-west of Tasm ania. But now they have committed to spending $8 million in the south.

In terms of Ouse and Rosebery, at Ouse it is good news that there is a review underway about the possibility of a multipurpose service. How did this come about? This was part of the proposal put forward by Christopher Pyne, Tony Abbott and the local community—Mayor Deirdre Flint and the Hospital Action Committee. This is what they wanted and this is what we were working towards. At least the state government are now considering that as an option—an independent report will consider that—and I hope they proceed swiftly in that regard.

In terms of Rosebery, federal Labor has held discussion with the Tasmanian government about improvements to the community based aged-care, respite and health services in the Ouse and Rosebery communities, at the instigation of the local federal member, Dick Adams. This was reported on 25 September last year in Labor’s policy on the Tasmanian health plan. It said: Federal Labor will continue to work with the Tasmanian Government and local community members to improve the quality of services in both communities.

Goodness me! The state government had a plan and implemented the plan to downgrade both hospitals. It is on the record.

Senator Conroy—You supported it.

Senator BARNETT—Indeed I did not, Senator Conroy. We opposed it vigorously with the local community and the local mayors.

The federal member for Lyons, Dick Adams, did nothing to assist the cause of the Rosebery and Ouse communities. When the Howard government put up the funds to save the hospital, instead of welcoming the
money, what did he do? He said, ‘It is a stunt.’ Mr Adams said at various times that he was working behind the scenes with the state government to upgrade the health services in both Rosebery and Ouse. But we did not see much.

Mr Adams is in the parliamentary diabetes support group as a colleague with me on the executive, and I have worked with Mr Adams happily and well and cooperatively in that regard. But he must be called to account on this matter. I cannot let Mr Adams or his party escape without the strongest rebuke for broken promises and the most misleading newsletter that I have seen in recent years. It said that Dick Adams was delighted that he has been able to secure a number of important projects for Lyons as well as a share in some major projects, such as those stated in Labor’s education revolution and its commitment to spend $2 billion on the health system, in conjunction with the state. It goes on to say ‘including assistance to upgrade the Ouse and Rosebery health centres’. Goodness me! What assistance has he provided? Absolutely none. The state government has downgraded both Ouse and Rosebery hospitals—and he has been part of it, working behind the scenes. He has done the exact opposite to what he is claiming in his newsletter. He is making an outrageous claim.

Mr Adams has also used the occasion of recent budget estimates committee hearings to describe the $2 million given to the hospitals by the Howard government last year as a ‘hoax’, and he said that no money was ever paid. What is he going to say to the mayors, the hospital action committees and the communities in Rosebery and Ouse who were there welcoming the money? I was there with Senator Bushby, rallying and walking through the streets of Rosebery. They were fighting so hard for that money and then when it was received from the Howard government they said, ‘Thank you. We have been working and lobbying so hard for this.’ They said, ‘Thank you,’ and welcomed it with open arms. It was all through the media and all through the community. The people of Rosebery and the west coast were thrilled with that $1 million for their hospitals. To say that it was a hoax and that it never happened is absolute arrant nonsense. I would ask Mr Adams to come into the other place, the House of Representatives, and apologise to the people of Rosebery and the west coast for claiming that that money was never paid, for claiming that it was a hoax and for claiming that the welcome and the wonderful response from those communities never happened. That is absolute arrant nonsense and I would ask him to apologise.

The federal Department of Health and Ageing wrote to both the West Coast Council and the Central Highlands Council confirming that $1 million in funding had been ‘committed’ to each council and that it would be withdrawn. That is exactly what the federal department did following the Rudd Labor government coming to power. So does the Labor Party think that voters in these regions are fools? Well, they are not. Those stories were quite clear; they were out there in the public arena. I want to commend Will Hodgman, the state leader for the Liberal Party, and Brett Whitely, Michael Hodgman and Rene Hidding, the state member for Lyons, for standing up for these communities and coming down with a policy position of restoring those hospital services—thank you.

Ian Wakefield, of the Australian Workers Union, and his team are planning a rally at Parliament House in Hobart on 2 April. It is supported by the Rosebery Hospital Action Committee and it is supported by me. I know the Tasmanian Liberal Senate team fully support it, because they are standing up for the people of Rosebery and the people of the west coast. I will be standing shoulder to shoulder with the union movement at that
rally in Hobart on 2 April, telling the state government what to do and how they should be restoring the health services for the people of Rosebery and the people of the west coast. I thank the Rosebery Hospital Action Committee for all their work. They have done a sterling job: Paul O’Bryan, Richard Spurr, Anne Drake, Chris Winskill, Athol Broomhall, Ivan Crompton, Sue Gilligan and many other supporters. I was there on Wednesday last week in Rosebery meeting with them. They are real troopers and I thank them for their efforts.

Mr Rudie Sypkes

Senator BUSHBY (Tasmania) (7.11 pm)—I rise tonight—

Senator Conroy—Was it you in the lift?

Senator BUSHBY—I have been in lifts on many occasions, but I think it may well have been before I was a senator. I rise tonight to pay tribute to the life of an outstanding Tasmanian whose legacy will be long felt, not just in Tasmania but across Australia and even internationally. Rudie Sypkes, best known as one of the most successful Tasmanian businessmen in the past 50 years and an excellent example of the success of Australia’s postwar migration, passed away in Hobart on Friday, 8 February 2008 after losing a two-year battle with the rare lung disease idiopathic pulmonary fibrosis. Born in May 1950 in Wildervank, Holland, Roelf Sypkes—or Rudie, as he was always known—migrated the following year with his family to Tasmania. His family went on to capitalise on the move towards super-sized grocery markets in the 1950s, starting with one store in Sandy Bay and building a chain of 13 supermarkets across southern Tasmania under the ‘Purity’ name. Interestingly, another Dutch migrant to Tasmania, Roelf Vos, who built a similar chain of supermarkets across northern Tasmania under the ‘Roelf Vos’ name, arrived with his family on the same plane as the Sypkes family.

Rudie joined Purity Supermarkets in 1967 and worked his way up the business, experiencing all level and manner of tasks on the way, until he was appointed CEO following the sale of Purity to Woolworths in 1981. A year later, Woolworths also acquired Roelf Vos supermarkets, giving them 32 per cent of the Tasmanian market at that time. Rudie left Woolworths in 1982 and became actively involved in Finance Brokers of Tasmania. He undertook a number of commercial and residential developments in Tasmania and was involved in flower farming in Victoria and Tasmania and, along with his father, Engel, in cattle farming and mango production in the Northern Territory. The Northern Territory concern eventually became the largest mango producer in Australia. In 1983, Rudie established the successful investment advisory business Rudie Sypkes and Associates, at a time when this industry sector was just emerging. He developed it into a major Tasmanian player in that market before selling it in 1989. It became Garrisons Financial Services, which is now part of Challenger International Ltd.

Looking for new challenges and always with a keen sense of what the next big thing would be, Rudie, with his brother, Peter, established Chickenfeed Bargain Stores in 1990. Despite his many major achievements in his then 40 years of life, it is as the proprietor of Chickenfeed that he would become best known in Tasmania. Rudie and his brother developed Chickenfeed into a 25-store chain over a 10-year period before selling it to Millers Retail Ltd in 2001. At the time of the sale, the company had around 520 employees. Later that year, Rudie opened the Hobart Corporate Centre as premium serviced offices in Hobart. In the same year, he became involved in large-scale land development in Bundaberg and Brisbane. He
then continued those business interests and supplemented them by investments elsewhere, including in oil exploration and development in Texas. In 2002, Rudie was appointed the Honorary Consul for the Czech Republic. In recognition primarily of his business activities, Rudie was awarded the Tasmanian Service Medal in 2002 and the 2007 Gold Medal Award by the Australian Institute of Company Directors, Tasmanian Division.

I first met Rudie when I was about five years old, through my first cousin, then Beth Bushby and now Beth Sypkes. The first wedding I ever attended, at around six or seven years old, was that of Rudie to Beth. To me he was always Beth’s husband, the one with the funny name—’Rudie’ has a certain ring to a small child—who was also a funny man, who I naturally knew as a child I could trust and who I genuinely liked.

As the stature of my cousin’s husband, Rudie, grew in the Tasmanian business and wider community, it all seemed a little surreal to me as a young Tasmanian yet somehow understandable, as I could see why people would like him and that he would always get things done. Rudie also seemed to be someone who always had good fortune with him. He is the only man I know of to have survived two small plane crashes. I guess many in the community also saw him as lucky, picking the right industry to kick off a business in at the right time and selling out at the right time. But what I know is that he was a man who created his own luck through hard work, belief in people and vision.

Rudie was an outstanding man in so many ways. Clearly, he was a man of immense business talent and acumen. His ability to understand markets, particularly emerging ones, and to deliver what people were just then looking for was a key to his success. But, as the outpouring of tributes for Rudie demonstrated, there was a lot more to Rudie than his Midas touch. In fact, it can probably be said that his passion for life, his love for people, his extroverted nature, the rock that was his love for his God, his strong belief in hard work and above all his love for his family were as much reasons for his business success as was his nose for business. Those traits also fuelled a lot of other activity. As his good friend Hank Petrusma has noted, we will probably never know the extent of his philanthropic activities because he was not the sort of man who sought publicity and certainly not for good deeds he had done—yet do them he did.

The disease that took him was a terminal one without cure. The only hope he had was for a full lung transplant. In the face of this reality, Rudie did go public with his philanthropy, publicly providing $600,000 for the conduct of respiratory medicine research in Tasmania and using the announcement to highlight the need for people to register as organ donors. He did this not to earn public accolades or even to promote cures or changes in transplant rates that would help him. He knew it was too late for him. Rather, he publicly called for people to register as organ donors so that others might be saved. It also cannot be said that his diagnosis with a terminal illness suddenly promoted a new tendency to philanthropy. Assisting those in need had been a way of life for him and Beth. They had always quietly gone about their business of supporting community, church and other organisations and individuals. Rudie took his social responsibility as a man who had done well in life very seriously.

An example is his little known work in North Korea. Rudie would make money available to trust banks which would then give low-interest loans to help people in North Korea become self-sufficient. Loans were made for 26 weeks with weekly advice
given to borrowers, the aim being to make people self-sufficient within three years. He had a 98 per cent success rate in loan repayments and 90 per cent of the borrowers were women. He was also involved in a joint venture with the North Korean government designed to train people to operate in the market place. As a true believer in free enterprise and the benefits for all people of a free market system, I have no doubt that Rudie saw this as a way to help people not just individually but on a greater level. By encouraging a whole lot of new North Korean entrepreneurs, I imagine he foresaw a lifting of the socialist yoke that imposes so much unnecessary hardship on North Koreans.

At his funeral, his son Andrew played a video recorded in the past six months. In it Rudie spoke of his obligation to help others, saying that it was something between him and God that did not require recognition. Rudie’s faith was also central to who he was. His daughter, Sharon, also at his funeral, read from an email written by Rudie last July in which he said:

I can feel disappointed and angry at the disease, but not at God.

She said that even on the day he died he had notes in his diary reminding him to call a family member who had lost a loved one and to pray for a friend who was gravely ill. It was typical of Rudie to think of others even at a time when he knew the disease he was battling was winning.

He was also a man of conviction. In 2000, Rudie engaged a building firm to undertake extensions to his Cambridge warehouse. As part of the building program, he had selected Parmic Pty Ltd to fit a new fire sprinkler system. However, the builder informed Rudie that it had an agreement with the unions not to let any subcontractor on the site that did not have a union sponsored EBA, and Parmic did not have one. Rudie insisted that Parmic be allowed to install the fire sprinklers, took on both the builder and the Communications Electrical Plumbing Union—then led by failed Franklin Labor candidate Kevin Harkins—and won. This was despite threats from union members to Parmic staff that they would return with baseball bats. Rudie later testified to the Royal Commission into the Building and Construction Industry. Rudie was also prepared to back his beliefs in the political arena and was a strong supporter of the Liberal Party.

One of Rudie’s greatest successes was as a family man. The tributes by his three children—Andrew, Sharon and Luke—at his funeral demonstrated clearly what a loving and caring father he had been. I know personally from my own observations that he had been a wonderful husband to Beth throughout their married life. In recognition of their love for him, Rudie’s family have, since his passing, pledged to continue his philanthropic legacy, focusing on promoting organ donation. As noted by his son Luke:

He was a vocal campaigner on the issue of organ donorship and we thought if there was one thing he would like us to contribute to it would be raising awareness for organ donation.

I acknowledge the life of a great Australian, an Australian who will be missed by his family and his community but whose legacy will be long remembered. I am proud to have known him.

Senate adjourned at 7.20 pm

DOCUMENTS

Departmental and Agency Contracts

The following documents were tabled pursuant to the order of the Senate of 20 June 2001, as amended:

Departmental and agency contracts for 2007—Letters of advice—Defence.

Innovation, Industry, Science and Research portfolio agencies.
Indexed Lists of Files
The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:
Indexed lists of departmental and agency files for the period 1 January to 30 June 2007—Statement of compliance—Australian Agency for International Development (AusAID).

Tabling
The following government documents were tabled:
Australian Radiation Protection and Nuclear Safety Agency—Quarterly reports for the periods—
1 January to 31 March 2007.
1 April to 30 June 2007.
1 July to 30 September 2007.
Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2006-07.
Department of Defence—Special purpose flights—Schedule for the period 1 January to 30 June 2007.
Department of the Prime Minister and Cabinet—Expenditure on travel by former Governors-General paid by the department for the period 1 January to 30 June 2007.
High Court of Australia—Report for 2006-07.
Human Rights and Equal Opportunity Commission—Reports—
No. 38—Report of an inquiry into a complaint by Mr Frank Ottaviano of discrimination in employment on the basis of criminal record against South Australia Police (State of South Australia).
No. 39—Complaint by Mr Huong Nguyen and Mr Austin Okoye against the Commonwealth of Australia (Department of Immigration and Citizenship, formerly the Department of Immigration and Multicultural and Indigenous Affairs) and GSL (Australia) Pty Ltd.
Services Trust Funds—Royal Australian Navy Relief Trust Fund, Royal Australian Air Force Welfare Trust Fund and Austra-
lian Military Forces Relief Trust Fund—
Reports for 2006-07.
Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 July to 30 September 2007.
Takeovers Panel (TP)—Report for 2006-07.

Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]

Acts Interpretation Act—
Acts Interpretation (Substituted References—Section 19B) Amendment Order 2008 (No. 1) [F2008L00650]*.
Acts Interpretation (Substituted References—Section 19BA) Amendment Order 2008 (No. 1) [F2008L00660]*.
Appropriation Act (No. 1) 2007-2008—Advance to the Finance Minister—No. 6 of 2007-2008 [F2008L00647]*.
Appropriation Act (No. 2) 2007-2008—Advance to the Finance Minister—No. 5 of 2007-2008 [F2008L00401]*.
Australian National University Act—Membership of the Council Statute 2008 [F2008L00672]*.
Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 3 of 2008—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2008L00544]*.
Australian Research Council Act—
Discovery Indigenous Researchers Development Funding Rules for funding commencing in 2009 [F2008L00581]*.
Linkage Infrastructure, Equipment and Facilities Funding Rules for funding commencing in 2009 [F2008L00655]*.
Linkage Projects Funding Rules for funding commencing in 2009 [F2008L00540]*.
Special Research Initiatives Funding Rules for funding commencing in 2008-2009 or 2009-2010 [F2008L00656]*.
Broadcasting Services Act—Variation to the Licence Area Plan for Gympie Radio—No. 1 of 2008 [F2008L00658]*.

Civil Aviation Act—

Civil Aviation Regulations—
Civil Aviation Order 40.0 Amendment Order (No. 1) 2008 [F2008L00652]*.
Instruments Nos CASA—
72/08—Instructions — for approved use of P-RNAV procedures [F2008L00246]*.
EX04/08—Exemption — public address system [F2008L00084]*.
EX10/08—Revocation of instruments CASA EX22/07, CASA EX26/07 and 369/07 [F2008L00245]*.
EX11/08—Exemption — emergency procedures proficiency tests for Qantas B737 aircraft [F2008L00300]*.
EX14/08—Exemption — maintenance on limited category and experimental aircraft [F2008L00404]*.
EX19/08—Exemption — Eastern Australia Airlines Pty Limited operations into Lord Howe Island [F2008L00618]*.
Civil Aviation Safety Regulations—
Airworthiness Directives—Part—
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AD/A320/211—Stand-By Instruments – Emergency Lighting [F2008L00539]*.
AD/A330/4 Amdt 2—THSA – Operational Life Limit [F2008L00606]*.
AD/A330/53 Amdt 1—Electronic Instrument System Display Units [F2008L00538]*.
AD/A330/60 Amdt 1—Wing Shroud Box Bottom Panel [F2008L00605]*.
AD/A330/86—MLG Bogie Beam [F2008L00604]*.
AD/AA-5/16 Amdt 1—Pre Certification Requirements — Modification [F2008L00613]*.
AD/AB139/1 Amdt 1—Cockpit Door and Windows [F2008L00603]*.
AD/AC/45—Nose Wheel Tyre – Inspection and Replacement [F2008L00602]*.
AD/AMD 50/44—Third Crew Member Control Panel Wiring Interference [F2008L00612]*.
AD/B717/27—Fuel Boost Pump Wiring [F2008L00611]*.
AD/B717/28—Electrical Bonding [F2008L00610]*.
AD/B727/161 Amdt 1—Fuel Boost Pump Wiring Conduits [F2008L00536]*.
AD/B737/119 Amdt 3—Fuel Boost Pump Wiring [F2008L00614]*.
AD/B737/121 Amdt 2—Fuel Boost Pump Wiring [F2008L00535]*.
AD/B737/138 Amdt 1—Fuel Boost Pump Wiring [F2008L00534]*.
AD/B737/303 Amdt 2—Fuel Boost Pump Wiring [F2008L00533]*.
AD/B747/34 Amdt 4—Supplemental Structural Inspection Program [F2008L00601]*.
AD/B747/85 Amdt 4—Corrosion Prevention and Control Program [F2008L00600]*.
AD/B747/345 Amdt 1—Body Station 1480 Longeron Extension Fittings [F2008L00597]*.
AD/B747/370—Heat Exchanger Shells [F2008L00532]*.
AD/B747/371—Overhead Lateral Shear Beam Aft of Door 5 [F2008L00596]*.
AD/B747/372—Engine Core Cowl Flipper Doors [F2008L00595]*.
AD/B767/235—ECS Duct Assembly Insulation [F2008L00594]*.
AD/BAe 146/132—Forward and Aft Wing Links at Frames 26 and 29 [F2008L00593]*.
AD/BEECH 33/30—Emergency Exits – Placards and Markings [F2008L00592]*.
AD/BEECH 35/56—Emergency Exits – Placards and Markings [F2008L00591]*.
AD/BEECH 36/1 Amdt 1—Pilots Safety Harness and Inertia Reel [F2008L00590]*.
AD/BEECH 36/29—Emergency Exits – Placards and Markings [F2008L00589]*.
AD/BEECH 50/32—Emergency Exits – Placards and Markings [F2008L00588]*.
AD/BEECH 55/66—Emergency Exits – Placards and Markings [F2008L00587]*.
AD/BEECH 56/26—Emergency Exits – Placards and Markings [F2008L00586]*.
AD/BEECH 90/39—Pre-Certification Requirements – Mods [F2008L00531]*.
AD/BEECH 95/25—Emergency Exits – Placards and Markings [F2008L00547]*.
AD/BELL 407/9 Amdt 3—Tailboom Skin [F2008L00382]*.
AD/CESSNA 170/3—Nose Wheel Strut [F2008L00546]*.
AD/CESSNA 170/42—Oil Pressure Line [F2008L00530]*.
AD/CESSNA 170/51—Console Reinforcement and Fuel Selector Shaft Roll Pin [F2008L00415]*.
AD/CESSNA 170/80—BRS-172 Parachute System [F2008L00545]*.
AD/CESSNA 180/42—Pre-Certification Requirements [F2008L00412]*.
AD/CESSNA 180/91—BRS-182 Parachute System [F2008L00543]*.
AD/CESSNA 206/17—Pre-Certification Requirements [F2008L00411]*.
AD/CESSNA 208/20 Amdt 1—Flight into Icing Conditions [F2008L00409]*.
AD/CESSNA 310/40—Pre-Certification Requirements – Modification [F2008L00408]*.
AD/CESSNA 337/20—Pre-Certification Requirements – Modification [F2008L00403]*.
AD/CL-600/93—Fuel Quantity Gauging System Wiring [F2008L00400]*.
AD/CL-600/94—Fuel Tank Lightning Protection [F2008L00398]*.
AD/CL-600/95—Air-Driven Generator – Internal Wiring [F2008L00383]*.
AD/CRESCO/13—Aileron Pushrods [F2008L00397]*.
AD/DO 328/70—Main Landing Gear Bushings [F2008L00542]*.
AD/EC 135/15 Amdt 1—Rotor Flight Control – Tail Rotor Control Rod and Ball Pivot [F2008L00645]*.
AD/ECUREUIL/130—Rotor Flight Control – Collective Lever Recess [F2008L00396]*.
AD/ERJ-170/3 Amdt 1—Air Data Smart Probes [F2008L00643]*.
AD/F50/98—MLG Sliding Member End-stop [F2008L00608]*.
AD/F100/87—Downward Opening Passenger Door [F2008L00625]*.
AD/F2000/29—Generator Control Unit Wiring [F2008L00395]*.
AD/F2000/30—Third Crew Member Control Panel Wiring Interference [F2008L00609]*.
AD/FU24/65—Aileron Pushrods [F2008L00394]*.
AD/J4100/1 Amdt 1—State of Design ADs [F2008L00386]*.
AD/J4100/2—Nose Landing Gear Capsule [F2008L00491]*.
AD/J4100/3—Aileron Quadrant Bearing [F2008L00492]*.
AD/J4100/4—Landing Gear Drag Brace Spherical Bearing [F2008L00493]*.
AD/J4100/5—Airworthiness Limitations [F2008L00494]*.
AD/J4100/6—Wing Upper Splice Plate [F2008L00495]*.
AD/J4100/7—Cargo Doors [F2008L00496]*.
AD/J4100/8—MLG Drag Brace Upper Link [F2008L00497]*.
AD/J4100/9—Flap Nacelle Fairing Attachment [F2008L00498]*.
AD/J4100/10—Forward Fuselage Stn 4 to Stn 8 Diaphragms [F2008L00499]*.
AD/J4100/11—Attachment Bracket for Door Restraint Cable [F2008L00500]*.
AD/J4100/12—Passenger Door Roller Guide Shear Cleats [F2008L00501]*.
AD/J4100/13—Passenger Door ‘G’ Lock and Speed Lock Systems [F2008L00502]*.
AD/J4100/14—Elevator Cable Tension Regulator Lever [F2008L00503]*.
AD/J4100/15—Placard to Prohibit Aircraft Pushback with Engines Running [F2008L00504]*.
AD/J4100/16—Nose Landing Gear Casing [F2008L00505]*.
AD/J4100/17—Nose Fuselage Structure between Station 4 and Station 11 [F2008L00506]*.
AD/J4100/18—Aft Fuselage Frames [F2008L00507]*.
AD/J4100/19—Vertical and Horizontal Stabiliser Attachment Fittings [F2008L00508]*.
AD/J4100/20—Passenger Cabin Seat Rails [F2008L00509]*.
AD/J4100/21—Fatigue and Environmental Damage Inspections [F2008L00510]*.
AD/J4100/22—Main Wheel Tie Bolts [F2008L00511]*.
AD/JBK 117/27—Fire Extinguisher Hose Clamps [F2008L00392]*.
AD/JBK 117/28—Central Panel Display System [F2008L00393]*.
AD/LJ45/12—Airworthiness Limitations [F2008L00541]*.
AD/PA-28/53—Pre-Certification Requirements — Modification [F2008L00390]*.
AD/PA-32/41—Pre-Certification Requirements — Modification [F2008L00389]*.
AD/PC-12/52—Elevator Control Stick-Pusher Servo-Cable Tension and Cable Clamp Bolts [F2008L00662]*.
AD/R22/54 Amdt 1—Main Rotor Blade Leading Edge and Tip Cap Area Skin [F2008L00527]*.
AD/R44/22 Amdt 1—Main Rotor Blade Leading Edge and Tip Cap Area Skin [F2008L00526]*.
AD/R44/22 Amdt 2—Main Rotor Blade Leading Edge and Tip Cap Area Skin [F2008L00553]*.
AD/S-PUMA/73—OEI Training Flights/Main Gear Box Freewheel Shaft [F2008L00387]*.
AD/S-PUMA/74—Outer Skin, Butt Strap and Frame 5295 [F2008L00624]*.
AD/CF6/69—Fan Disk Coating [F2008L00402]*.

AD/MAKILA/10—Time Limits — Maintenance Checks [F2008L00391]*.
AD/PW300/2—Engine Fan Blade Fracture [F2008L00551]*.
AD/RB211/37—Engine — Low Pressure Turbine Shaft [F2008L00388]*.
AD/THIELERT/7—High Pressure Fuel Line Bracket [F2008L00646]*.

107—AD/OXY/7 Amdt 1—Eros Oxygen Masks [F2008L00607]*.

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EX16/08—Exemption — validation flight checks for Hart Aviation [F2008L00560]*.
EX17/08—Exemption — validation flight checks for AA [F2008L00561]*.

Commissioner of Taxation—Public rulings—
Goods and Services Tax Rulings—
Addenda—GSTR 2001/7 and GSTR 2002/2.
Erratum—GSTR 2001/17.
GSTR 2008/1.
Product Rulings—
Self Managed Superannuation Funds Determination SMSFD 2008/1.
Taxation Determination—Notice of Withdrawal—TD 94/6.
Taxation Rulings (old series)—
Addenda—IT 2344, IT 2466, IT 2534 and IT 2668.

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[CO 08/15] [F2008L00584]*.
[CO 08/25] [F2008L00664]*.
Customs Act—
Tariff Concession Orders—
0712636 [F2008L00461]*.
0712976 [F2008L00365]*.
0716473 [F2008L00442]*.
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0717308 [F2008L00359]*.
0717321 [F2008L00299]*.
0717342 [F2008L00314]*.
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0717428 [F2008L00356]*.
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0718168 [F2008L00336]*.
0718206 [F2008L00293]*.
0718307 [F2008L00337]*.
0718308 [F2008L00292]*.
0718356 [F2008L00328]*.
0718439 [F2008L00323]*.
0718560 [F2008L00289]*.
0718575 [F2008L00338]*.
0718662 [F2008L00339]*.
0718676 [F2008L00464]*.
0718727 [F2008L00340]*.
0718731 [F2008L00341]*.
0718781 [F2008L00360]*.
0718915 [F2008L00426]*.
0718970 [F2008L00459]*.
0718990 [F2008L00466]*.
0718999 [F2008L00468]*.
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0719685 [F2008L00446]*.
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0719757 [F2008L00582]*.
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22/2008 [F2008L00270]*.
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25/2008 [F2008L00273]*.
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27/2008 [F2008L00481]*.
29/2008 [F2008L00483]*.
30/2008 [F2008L00485]*.
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Electronic Transactions Act—Select Legislative Instrument 2008 No. 11—Electronic Transactions Amendment Regulations 2008 (No. 1) [F2008L00661]*.

Environment Protection and Biodiversity Conservation Act—

Amendments of lists of—

   Exempt Native Specimens—
   EPBC303DC/SFS/2008/05 [F2008L00599]*.
   EPBC303DC/SFS/2008/07 [F2008L00380]*.
   EPBC303DC/SFS/2008/08 [F2008L00381]*.

   Specimens taken to be suitable for live import—
   EPBC/s.303EC/SSLI/Amend/024 [F2008L00370]*.

   Threatened species, dated 16 February 2008 [F2008L00663]*.


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Select Legislative Instrument 2008 No. 13—Family Law (Superannuation) Amendment Regulations 2008 (No. 1) [F2008L00638]*.

Federal Magistrates Act—Select Legislative Instrument 2008 No. 10—Federal Magistrates Court Amendment Rules 2008 (No. 1) [F2008L00640]*.

Financial Management and Accountability Act—

   Adjustments of Appropriations on Change of Agency Functions—Nos—
   7 of 2007-2008 [F2008L00666]*.
   8 of 2007-2008 [F2008L00667]*.

   9 of 2007-2008 [F2008L00668]*.

   Determination 2008/02—Section 32 (Transfer of Functions from the former Environment Department to DCC) [F2008L00669]*.

   Financial Management and Accountability Determinations—
   2008/01 — Special Accounts Abolition [F2008L00619]*.
   2008/02 — ASIC Deregistered Companies Trust Moneys Special Account Establishment 2008 [F2008L00620]*.

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   1 of 2008—Reporting standard ARS 110.0 Capital Adequacy [F2008L00407].
   3 of 2008—Reporting standard ARS 112.2 Standardised Credit Risk – Off-balance Sheet Exposures; Reporting standard ARS 118.0 Off-balance Sheet Business [F2008L00413].
   4 of 2008—Reporting standard ARS 113.0 Foundation Internal Ratings-based (FIRB) Approach to Credit Risk [F2008L00414].
   5 of 2008—Reporting standard ARS 113.1 Advanced Internal Ratings-based (AIRB) Approach to Credit Risk [F2008L00416].
6 of 2008—Reporting standard ARS 113.2 Internal Ratings-based Approach (IRB) to Credit Risk – Specialised Lending Supervisory Slotting [F2008L00418].


10 of 2008—Reporting standard ARS 115.0 Advanced Measurement Approaches (AMA) to Operational Risk [F2008L00422].


12 of 2008—Reporting standard ARS 117.0 Repricing Analysis [F2008L00424].

13 of 2008—Reporting standard ARS 117.1 Interest Rate Risk in the Banking Book (IRBB) [F2008L00425].

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16 of 2008—Reporting standard ARS 120.2 Securitisation – Supplementary Items [F2008L00428].

17 of 2008—Reporting standard ARS 150 Basel II Transition (Advanced ADIs) [F2008L00434].


19 of 2008—Reporting standard ARS 220.0 Impaired Facilities [F2008L00430].

20 of 2008—Reporting standard ARS 220.3 Prescribed Provisioning [F2008L00431].


22 of 2008—Reporting standard ARS 221.0 Large Exposures [F2008L00433].

23 of 2008—Reporting standard ARS 222.0 Exposures to Related Entities [F2008L00435].

24 of 2008—Reporting standard ARS 230.0 Commercial Property [F2008L00447].


Fisheries Levy Act—Select Legislative Instrument 2008 No. 6—Fisheries Levy (Torres Strait Prawn Fishery) Amendment Regulations 2008 (No. 1) [F2008L00307]*.

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Food Standards Australia New Zealand Act—Australia New Zealand Food Standards Code – Amendment No. 96 – 2008 [F2008L00523]*.

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Health Insurance (Permitted benefits — diagnostic imaging services) Determination 2008 [F2008L00615]*.

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Higher Education Support Act—

Commonwealth Grant Scheme Guidelines No. 1—Amendment No. 2 [F2008L00559]*.

Higher Education Provider Approval (No. 1 of 2008)—QANTM Pty Ltd [F2008L00648]*.
Other Grants Guidelines 2006—Amendment No. 8 [F2008L00558]*.

Income Tax Assessment Act 1997—
Film Certification Advisory Board Rules 2008 [F2008L00350]*.
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International Criminal Court Act—Select Legislative Instrument 2008 No. 7—International Criminal Court Regulations 2008 [F2008L00247]*.

Lands Acquisition Act—Statements describing property acquired by agreement for specified public purposes under sections—

40.
125.

Migration Act—
Direction under section 499—Direction No. 38—Guidelines for considering cancellation of student visas for non-compliance with student visa condition 8202 (or for the review of such cancellation decisions) and for considering revocation of automatic cancellation of student visas (or for the review of decisions not to revoke such cancellations).

Migration Regulations—Instruments IMMI—
07/083—Access to movement records [F2008L00524]*.
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Radiocommunications Act—
Radiocommunications Licence Conditions (Amateur Licence) Amendment Determination 2008 (No. 1) [F2008L00374]*.
Radiocommunications (Overseas Amateurs Visiting Australia) Class Licence 2008 [F2008L00376]*.
Radiocommunications (Qualified Operators) Amendment Determination 2008 (No. 1) [F2008L00372]*.
Radiocommunications (Receiver Licence Tax) Act—Radiocommunications (Receiver Licence Tax) Amendment Determination 2008 (No. 1) [F2008L00379]*.
Radiocommunications (Transmitter Licence Tax) Act—Radiocommunications (Transmitter Licence Tax) Amendment Determination 2008 (No. 1) [F2008L00378]*.

Remuneration Tribunal Act—
Determinations—
2008/01: Remuneration and Allowances for Holders of Public Office [F2008L00469]*.

Retirement Savings Accounts Act—Select Legislative Instrument 2008 No. 8—Retirement Savings Accounts Amendment Regulations 2008 (No. 1) [F2008L00375]*.

Social Security Act—

Social Security (Australian Government Disaster Recovery Payment) Determination 2008 (No. 2) [F2008L00525]*.

Social Security (Administration) Act—
Social Security (Administration) (Declared relevant Northern Territory areas — Various (No. 3)) Determination 2008 [F2008L00585]*.

Superannuation Industry (Supervision) Act—Select Legislative Instrument 2008 No. 9—Superannuation Industry (Supervision) Amendment Regulations 2008 (No. 1) [F2008L00373]*.

Sydney Airport Curfew Act—Dispensation Report 02/08 [4 dispensations].

Telecommunications Act—
Telecommunications Labelling (Customer Equipment and Customer Cabling) Amendment Notice 2008 (No. 1) [F2008L00377]*.

Telecommunications (Consumer Protection and Service Standards) Act—
Telecommunications (Emergency Call Service) Amendment Determination 2008 (No. 1) [F2008L00280]*.

(No. 1) [F2008L00384]*.
(No. 2) [F2008L00385]*.


Veterans’ Entitlements Act—
Instruments Nos—

Veterans’ Entitlements Income (Exempt Lump Sum – Compensation paid by Aviva Australia) Determination No. R8 of 2008 [F2008L00566]*.

Statements of Principles concerning—
Alcohol Dependence and Alcohol Abuse No. 17 of 2008 [F2008L00567]*.

Alcohol Dependence and Alcohol Abuse No. 18 of 2008 [F2008L00568]*.

Benign Prostatic Hyperplasia No. 19 of 2008 [F2008L00569]*.

Benign Prostatic Hyperplasia No. 20 of 2008 [F2008L00570]*.

Bipolar Disorder No. 25 of 2008 [F2008L00577]*.

Bipolar Disorder No. 26 of 2008 [F2008L00578]*.

Depressive Disorder No. 27 of 2008 [F2008L00579]*.

Depressive Disorder No. 28 of 2008 [F2008L00580]*.

Diverticular Disease of the Colon No. 13 of 2008 [F2008L00562]*.

Diverticular Disease of the Colon No. 14 of 2008 [F2008L00563]*.

Drug Dependence and Drug Abuse No. 15 of 2008 [F2008L00564]*.

Drug Dependence and Drug Abuse No. 16 of 2008 [F2008L00565]*.
Polymyalgia Rheumatica No. 23 of 2008 [F2008L00574]*.
Polymyalgia Rheumatica No. 24 of 2008 [F2008L00576]*.
Spasmodic Torticollis No. 21 of 2008 [F2008L00572]*.
Spasmodic Torticollis No. 22 of 2008 [F2008L00573]*.

Governor-General’s Proclamations—
Commencement of Provisions of Acts

Aged Care Amendment (Residential Care) Act 2007—Schedule 1—20 March 2008 [F2008L00205]*.

* Explanatory statement tabled with legislative instrument.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Parliament House: Lobbyist Passes
(Question No. 3477)

Senator Bob Brown asked the President, upon notice, on 5 October 2007:
Has a Mr Bruce Hales been issued a lobbyist pass for Parliament House; if so, who sponsored his application for the pass.

The President—The answer to the honourable senator’s question is as follows:
Mr Bruce Hales has not been issued with a lobbyist pass.

Parliament House: Lobbyist Passes
(Question No. 3478)

Senator Bob Brown asked the President, upon notice, on 5 October 2007:

(1) Do the following individuals hold lobbyist passes for Parliament House, and if so, who sponsored their application for the pass: (a) David Stewart; (b) Phillip McNaughton; (c) John Gadsen; (d) Richard Garrett; (e) Athol Greene; (f) Geoff Fysh; (g) Stephen Hales; (h) John K. Anderson; (i) David Thomas; (j) David McAlpin; (k) Ken Baker; (l) Allan Clarkson; (m) Warwick Joyce; (n) Graham Lewis; (o) Mark Mackenzie; (p) Allan Wallis; (q) Bill Wallis; and (r) Peter Woolston.

(2) Have any members of the Christian Lobby Group been issued with lobbyist passes for Parliament House; and if so: (a) what are their names; and (b) for each of these people, who sponsored their application.

The President—The answer to the honourable senator’s question is as follows:

(1) Parliament House security pass records shows that:
(a) Mr David Stewart of the Christian Lobby Group has a lobbyist pass, which is sponsored by the Hon. Alan Cadman MP and Mr Michael Ferguson MP;
(b) no pass is held by Mr Phillip McNaughton;
(c) no pass is held by Mr John Gadsen;
(d) no pass is held by Mr Richard Garrett;
(e) no pass is held by Mr Athol Greene;
(f) no pass is held by Mr Geoff Fysh;
(g) Mr Stephen Hales of the Christian Lobby Group has a lobbyist pass, which is sponsored by Mr Michael Ferguson MP and Senator the Hon. Eric Abetz;
(h) Mr John K. Anderson of the Christian Lobby Group previously held a lobbyist pass, which was sponsored by the Hon. Dr Brendan Nelson MP and Mr Michael Ferguson MP (this pass expired on 29 November 2006);
(i) no pass is held by Mr David Thomas;
(j) no pass is held by Mr David McAlpin;
(k) no pass is held by Mr Ken Baker;
(l) no pass is held by Mr Allan Clarkson;
(m) Mr Warwick Joyce of the Christian Lobby Group has a lobbyist pass. Mr Joyce’s application was sponsored by the Hon. Alexander Downer MP and Dr Andrew Southcott MP;
(n) no pass is held by Mr Graham Lewis;
(o) no pass is held by Mr Mark Mackenzie;
(p) no pass is held by Mr Allan Wallis;
(q) no pass is held by Mr Bill Wallis; and
(r) no pass is held by Mr Peter Woolston.

(2) Members of the Christian Lobby Group have been issued passes as follows:
(a) J.K. Anderson previously held a lobbyist pass which expired on 29 November 2006. The application was sponsored by the Hon. Dr Brendan Nelson MP and Mr Michael Ferguson MP;
(b) R.J. Arkcoll previously held a lobbyist pass which expired on 10 May 2007. The application was sponsored by Mr Alby Schultz MP and Mr Michael Ferguson MP;
(c) K.C. Arnot previously held a lobbyist pass which expired on 12 May 2007. The application was sponsored by Ms Louise Markus MP and Mr Michael Ferguson MP;
(d) S.C. Hales has a valid lobbyist pass which was sponsored by Mr Michael Ferguson MP and the Hon. Dr Brendan Nelson MP;
(e) C.W. John has a valid lobbyist pass which was sponsored by the Hon. Danna Vale, MP and Mr Michael Ferguson MP;
(f) W.A. Joyce has a valid lobbyist pass which was sponsored by the Hon. Alexander Downer MP and Dr Andrew Southcott MP;
(g) E. Micklethwaite has a valid lobbyist pass which was sponsored by Senator Guy Barnett and the Hon. John Anderson MP;
(h) B.S. Pridham has a valid lobbyist pass which was sponsored by the Hon. Danna Vale MP and Mr Michael Ferguson MP;
(i) K. G. Seeley has a valid lobbyist pass which was sponsored by Dr Andrew Southcott MP and the Hon. Alexander Downer MP;
(j) L. Shelton has a valid lobbyist pass which was sponsored by Senator Barnaby Joyce and Senator Ron Boswell;
(k) G.M. Stevens previously held a lobbyist pass which expired on 2 December 2006. The application was sponsored by Mr Tony Smith MP and Ms Fran Bailey MP;
(l) D.W. Stewart has a valid lobbyist pass which was sponsored by the Hon. Alan Cadman MP and Mr Michael Ferguson MP;
(m) J.J. Wallace has a valid lobbyist pass which was sponsored by the Hon. Danna Vale MP and Hon. John Anderson MP;
(n) R.S. Williams previously held a lobbyist pass which expired on 22 September 2006. The application was sponsored by the Hon. Anthony Abbott MP and the Hon. Gary Nairn MP; and
(o) D.J. Yates has a valid lobbyist pass which was sponsored by Senator Guy Barnett and Mr Kerry Bartlett MP.
Environment: Tiwi Islands
(Question No. 5)

Senator Bob Brown asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 12 February 2008:

(1) (a) Who was the administrator of the islands when the logging proposal was adopted; and
(b) what role did the Australian Government take.

(2) Have any breaches of the Environment Protection and Biodiversity Conservation Act 1999 occurred; if so, are they being checked.

(3) What supervisory role has the Minister taken.

(4) What further forest clearance is planned.

(5) In what way is the deforestation of the Tiwi Islands consistent with the Prime Minister’s declared wish to help end deforestation in Indonesia.

Senator Wong—The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable senator’s question:

(1) (a) The administrator of the Tiwi Islands at the time the proposal was approved was the Northern Territory Government.


(2) The current forestry operation was approved under the EPBC Act in August 2001 and work commenced in April 2004. In 2006, the then Department for the Environment and Water Resources received information relating to an allegation of a breach of approval conditions. The investigation into this allegation is ongoing.

(3) As part of the conditions of approval, the Minister was required to approve plans for managing impacts of the forestry operations and approve criteria for the Triennial Audit.

(4) There is no current application under the EPBC Act to expand the existing forestry operations.

(5) There is no relationship between this forestry project and initiatives regarding deforestation in Indonesia.

Sustainability Charter
(Question No. 9)

Senator Allison asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 12 February 2008:

(1) Will the Government follow the bipartisan advice of the House of Representatives Standing Committee on Environment and Heritage in its report, Sustainability for survival: creating a climate for change and establish a sustainability charter; if not, why not.

(2) Will the Government introduce legislation to establish a national sustainability commission, headed by a sustainability commissioner.

(3) Will the Government act to repeal the Environment and Heritage Legislation Amendment Act (No. 1) 2006, which weakened the Environment Protection and Biodiversity Conservation Act 1999 (the Act), and/or introduce further amendments so that the Act can achieve its aims of minimising the degradation of Australia’s ecosystems and conserving biodiversity.

(4) Will the Government introduce a greenhouse trigger into the Act; if so, what will be its threshold.

QUESTIONS ON NOTICE
Senator Wong—The Minister for the Environment, Heritage and the Arts, has provided the following answer to the honourable senator’ s question:

(1) This government has already indicated its interest in exploring the concept of a national sustainability charter which sets key national environmental, social and economic sustainability targets. It is important that we work with the state and territory governments on this matter.

(2) We will also investigate the benefits of establishing an independent national sustainability commissioner and council, drawing on the experience, both positive and negative, of other countries which have taken this course of action.

(3) The Government is currently considering options for reviewing and amending the Environment Protection and Biodiversity Conservation Act 1999. This will include consideration of the amendments to the Act introduced in 2006.

(4) The Government is considering options for the development of a greenhouse trigger under the Environment Protection and Biodiversity Conservation Act 1999. This work will however be undertaken in conjunction with development of the carbon trading scheme.

Water
(Question No. 103)

Senator Allison asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 12 February 2008:

With reference to the Sustainable Cities program, negotiated by the Australian Democrats with the Howard Government as part of the Measures for a Better Environment package in the 2003-04 Budget:

(1) In regard to water quality initiatives: (a) following the implementation of the water efficiency labelling scheme for household appliances, fixtures and fittings, what progress has been made towards implementing minimum standards; (b) since the introduction of the labelling scheme, what evidence is there that: (i) consumers have adopted water efficient appliances, and (ii) the manufacture and retailing of more water efficient appliances, fixtures and fittings has been encouraged; and (c) what progress has been made towards developing best practice guidelines for urban water forms which minimise impervious areas, greywater re-use and on-site rainwater collection.

(2) What progress has been made towards the establishment of a program to improve water quality in local government areas.

Senator Wong—The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable senator’ s question:

(1) (a) Work is underway to expand the Water Efficiency Labelling and Standards (WELS) Scheme to introduce new minimum water efficiency standards (WES) for products and change the current minimum water efficiency standard for toilets. Minimum water efficiency standards are being considered for clothes washing machines, dishwashers, combination washer dryers, showers, taps, urinals, evaporative air conditioners, instantaneous gas hot water systems, domestic irrigation flow controllers and hot water recirculators. Further details will be released for public consultation in 2008.

(b) Since registration of products under the Scheme started in 2005, there has been a marked increase in the water efficiency of products available on the market. This is demonstrated by increasing concentrations of stock in the upper rating bands. For example, there are now 143 clothes washing machines registered under the Scheme that have a rating of 4 stars or greater, out of a total of 276 products registered. This gives consumers a broad choice of fit-for-purpose water efficient products to purchase.
Building on WELS, rebate programmes help shift the market towards more water efficient products. For example, in Western Australia where the clothes washer rebate has recently been changed to apply to 4.5 star machines from 4 star machines previously, it is likely that there will be a significant shift towards the purchase of 4.5 star rated machines. Many manufacturers and retailers are now using the water efficiency of their products as selling points.

(c) The Government has announced a comprehensive set of initiatives to drive investment in diverse water supply options and encourage industry and the community to save and use water more efficiently. These include:

- $1 billion National Urban Water and Desalination Plan to help secure the water supplies of Australia’s major cities through investment in desalination, water recycling and major stormwater capture projects.
- $250 million National Water Security Plan for Towns and Cities to secure water supplies by funding practical projects that save water, including investment in modern, more efficient water infrastructure and refurbishment of older pipes and water systems.
- $253 million National Rainwater and Grey Water Plan to encourage the installation of rainwater tanks and greywater piping in households and surf lifesaving clubs.
- A Water Efficiency Opportunities Programme to encourage large commercial water users to save water.
- An aspirational target to recycle 30 per cent of Australia’s wastewater by 2015 to reduce reliance on rainfall by increasing the use of recycled water.

In order to provide guidance on managing the environmental and health risks associated with recycled water, the Australian Government, along with the states and territories, released Phase 1 of the National Guidelines for Water Recycling – Managing Health and Environmental Risks in November 2006. These guidelines form part of the National Water Quality Management Strategy.

Phase 1 covers sewage effluent and greywater for non-drinking purposes and provides specific guidance so that project planners can match water quality to intended uses in the safest and most cost-effective manner.

Phase 2 of the guidelines is currently under development and will address the use of recycled water for drinking, stormwater re-use and managed aquifer re-charge. The guidelines on recycled water for drinking are likely to be published in 2008, with public consultation on the latter two modules also scheduled for 2008.

(2) The Australian Government is working with some local governments to develop and implement water quality improvement plans that seek to improve and protect water quality hotspots in coastal catchment areas. The hotspots are identified in consultation with the relevant state and local governments.

Local government and their communities have a significant role to play in minimising the adverse impacts on our precious water resources. The Water Campaign™, an international freshwater management program, motivates and empowers local governments and their communities to assess and improve their water management approaches.

In Australia, the Water Campaign™ is delivered by ICLEI – Local Governments for Sustainability – Oceania (ICLEI Oceania). It was established in 2002 with five pilot councils, and there are now 114 councils participating.

The Water Campaign™ builds the capacity of councils to achieve measurable improvements in water quality and water conservation within their own corporate operations, and to influence improvements within their communities. The Water Campaign™ guides councils through a strategic
performance-based milestone framework and provides them with ongoing support and technical information.

**Port Phillip Bay Channel Deepening Project**

*(Question No. 106)*

**Senator Allison** asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 12 February 2008:

In regard to the Port Phillip Bay channel deepening project:

(1) Is the Minister aware that the independent planning panel which assessed the initial Channel Deepening Environment Effects Statement (EES) found that ‘The failure to exhibit the document “Stage 2: Additional Environmental Survey Work”, was a significant procedural defect’ and that ‘The most expeditious remedy for potential parties procedurally disadvantaged by the non-exhibition of documentation will be to participate in the exhibition and public review of a successor document’.


(3) Is the Minister aware that the Hale report does not report on any water quality sampling sites from within the Yarra River.

(4) (a) Is the Minister aware that the Hale report was not included in the Channel Deepening SEES; and (b) will the Minister consider the report in his evaluation of the Channel Deepening Project (CDP) under the Environment Protection and Biodiversity Conservation Act 1999.

(5) (a) Is the Minister aware that the baseline benthic fauna surveys for the Port of Melbourne Dredged Material Ground (DMG), south-east DMG and Yarra River estuary, produced by Sinclair Knight Merz in September 2006, were not included in the Channel Deepening EES or SEES, and that a limited number of copies were made available only after public presentations to the inquiry had been delivered; and (b) will the Minister consider the report in his evaluation of the CDP under the Act.

(6) (a) Is the Minister aware that the bioaccumulation study produced by Sinclair Knight Merz in April 2006 was not included in the Channel Deepening EES or SEES, and that a limited number of copies were made available only after public presentations to the inquiry had been delivered; and (b) will the Minister consider the study in his evaluation of the CDP under the Act.

(7) Will the Minister respond to allegations that the documents not included in the SEES, referred to in paragraphs (4), (5) and (6), contain instances where elevated levels of toxins are overlooked, and that data is interpreted in a way that casts a more positive light on the CDP than is actually the case.

(8) Is the Minister aware that the Channel Deepening SEES Executive Summary produced by the Port of Melbourne Corporation (PoMC) in April 2007 states, on page 31, that ‘Extensive research by PoMC has identified no health risk concerns for recreational swimmers or consumers of fish caught in the lower reaches of the Yarra River as a result of the CDP’.

(9) Given that no testing was done for dioxins and radionuclides in the SEES, will the Minister request that this be done.
Senator Wong—The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable senator’s question:

(1-9) The channel deepening project was the subject of a comprehensive assessment by the Victorian Government. The Victorian Government process was accredited for the purposes of the assessment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The EPBC Act assessment process has been rigorous and transparent, as validated by the Federal Court’s ruling of 15 January 2008, dismissing a challenge regarding its legal validity.