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SITTING DAYS—2009

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RADIO BROADCASTS

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FORTY-SECOND PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

Senate Officeholders

President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Hon. Alan Baird Ferguson
Temporary Chairs of Committees—Senators Guy Barnett, Cory Bernardi,
Thomas Mark Bishop, Carol Louise Brown, Patricia Margaret Crossin,
Michael George Forshaw, Gary John Joseph Humphries, Annette Kay Hurley,
Stephen Patrick Hutchins, Gavin Mark Marshall, Julian John James McGauran,
Claire Mary Moore, Stephen Shane Parry, Hon. Judith Mary Troeth and Russell Brunell Trood

Leader of the Government in the Senate—Senator Hon. Christopher Vaughan 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 Stephen Shane Parry

Senate Party Leaders and Whips

Leader of the Australian Labor Party—Senator Hon. Christopher Vaughan 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 Barnaby Thomas Gerard Joyce
Deputy Leader of the Nationals—Senator Fiona Nash
Leader of the Australian Greens—Senator Robert James Brown
Deputy Leader of the Australian Greens—Senator Christine Anne Milne
Leader of the Family First Party—Senator Steve Fielding
Chief Government Whip—Senator Kerry Williams Kelso O’Brien
Deputy Government Whips—Senators Donald Edward Farrell and Anne McEwen
Chief Opposition Whip—Senator Stephen Shane Parry
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby
The Nationals Whip—Senator John Reginald Williams
Australian Greens Whip—Senator Rachel Mary Siewert
Family First Party Whip—Senator Steve Fielding

Printed by authority of the Senate
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(1) Chosen by the Parliament of South Australia to fill a casual vacancy vice Amanda Eloise Vanstone, resigned.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Ian Campbell, resigned.
(3) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Christopher Martin Ellison, resigned.
(4) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

PARTY ABBREVIATIONS
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—A Thompson
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
Minister for Defence and Vice President of the Executive Council Senator Hon. John Faulkner
Minister for Trade Hon. Simon Crean MP
Minister for Foreign Affairs and Deputy Leader of the House Hon. Stephen Smith 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 AM, MP
Attorney-General Hon. Robert McClelland MP
Cabinet Secretary, Special Minister of State 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 AM, MP
Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services Hon. Chris Bowen, MP

[The above ministers constitute the cabinet]
RUDD MINISTRY—continued

Minister for Veterans’ Affairs
Minister for Housing and Minister for the Status of Women
Minister for Home Affairs
Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery
Minister for Small Business, Independent Contractors and the Service Economy, Minister Assisting the Finance Minister on Deregulation and Minister for Competition Policy and Consumer Affairs

Hon. Alan Griffin MP
Hon. Tanya Plibersek MP
Hon. Brendan O’Connor MP
Hon. Warren Snowdon MP
Hon. Dr Craig Emerson MP

Assistant Treasurer
Minister for Ageing
Minister for Early Childhood Education, Childcare and Youth and Minister for Sport
Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change
Minister for Employment Participation and Minister Assisting the Prime Minister on Government Service Delivery

Senator Hon. Nick Sherry
Hon. Justine Elliot MP
Hon. Kate Ellis MP
Hon. Greg Combet AM, MP
Senator Hon. Mark Arbib

Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government
Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water
Parliamentary Secretary for Western and Northern Australia
Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction
Parliamentary Secretary for International Development Assistance
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade
Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion
Parliamentary Secretary for Multicultural Affairs and Settlement Services
Parliamentary Secretary for Employment
Parliamentary Secretary for Health
Parliamentary Secretary for Industry and Innovation

Hon. Maxine McKew MP
Hon. Dr Mike Kelly AM, MP
Hon. Gary Gray AO, MP
Hon. Bill Shorten MP
Hon. Bob McMullan MP
Hon. Duncan Kerr SC, MP
Hon. Anthony Byrne MP
Senator Hon. Ursula Stephens
Hon. Laurie Ferguson MP
Hon. Jason Clare MP
Hon. Mark Butler MP
Hon. Richard Marles MP
SHADOW MINISTRY

Leader of the Opposition
The Hon. Malcolm Turnbull MP

Shadow Minister for Foreign Affairs and Deputy Leader of the Opposition
The Hon. Julie Bishop MP

Shadow Minister for Trade, Transport, Regional Development and Local Government and Leader of The Nationals
The Hon. Warren Truss MP

Shadow Minister for Broadband, Communications and the Digital Economy and Leader of the Opposition in the Senate
Senator the Hon. Nick Minchin

Shadow Minister for Innovation, Industry, Science and Research and Deputy Leader of the Opposition in the Senate
Senator the Hon. Eric Abetz

Shadow Treasurer
The Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
The Hon. Christopher Pyne MP

Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design
The Hon. Andrew Robb AO, MP

Shadow Minister for Finance, Competition Policy and Deregulation
Senator the Hon. Helen Coonan

Shadow Minister for Human Services and Deputy Leader of The Nationals
Senator the Hon. Nigel Scullion

Shadow Minister for Energy and Resources
The Hon. Ian Macfarlane MP

Shadow Minister for Families, Housing, Community Services and Indigenous Affairs
The Hon. Tony Abbott MP

Shadow Special Minister of State and Shadow Cabinet Secretary
Senator the Hon. Michael Ronaldson

Shadow Minister for Climate Change, Environment and Water
The Hon. Greg Hunt MP

Shadow Minister for Health and Ageing
The Hon. Peter Dutton MP

Shadow Minister for Defence
Senator the Hon. David Johnston

Shadow Attorney-General
Senator the Hon. George Brandis SC

Shadow Minister for Agriculture, Fisheries and Forestry
The Hon. John Cobb MP

Shadow Minister for Employment and Workplace Relations
Mr Michael Keenan MP

Shadow Minister for Immigration and Citizenship
The Hon. Dr Sharman Stone

Shadow Minister for Small Business, Independent Contractors, Tourism and the Arts
Mr Steven Ciobo

[The above constitute the shadow cabinet]
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<td>Shadow Minister for Financial Services, Superannuation and Corporate Law</td>
<td>The Hon. Chris Pearce MP</td>
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<tr>
<td>Shadow Assistant Treasurer</td>
<td>The Hon. Tony Smith MP</td>
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<tr>
<td>Shadow Minister for Sustainable Development and Cities</td>
<td>The Hon. Bruce Billson MP</td>
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<tr>
<td>Shadow Minister for Competition Policy and Consumer Affairs and Deputy</td>
<td>Mr Luke Hartsuyker MP</td>
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<td>Manager of Opposition Business in the House</td>
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<td>Shadow Minister for Housing and Local Government</td>
<td>Mr Scott Morrison</td>
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<td>Shadow Minister for Ageing</td>
<td>Mrs Margaret May MP</td>
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<td>Shadow Minister for Defence Science and Personnel and</td>
<td>The Hon. Bob Baldwin MP</td>
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<td>Shadow Minister for Veterans’ Affairs</td>
<td>Mrs Louise Markus MP</td>
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<td>Shadow Minister for Early Childhood Education,</td>
<td>Mrs Sophie Mirabella MP</td>
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<td>Childcare, Status of Women and Youth</td>
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<td>Shadow Minister for Justice and Customs</td>
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<td>Dr Andrew Southcott MP</td>
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<td>Shadow Parliamentary Secretary for Northern Australia</td>
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<td>Shadow Parliamentary Secretary for International Development Assistance</td>
<td>Senator Marise Payne</td>
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<td>and Shadow Parliamentary Secretary for Indigenous Affairs</td>
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<td>Shadow Parliamentary Secretary for Energy and Resources</td>
<td>Mr Barry Haase MP</td>
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<td>Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary</td>
<td>Senator Mitch Fifield</td>
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<td>Mr Mark Coulton MP</td>
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<td>Senator Mathias Cormann</td>
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<td>Senator the Hon. Brett Mason</td>
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The President (Senator the Hon. John Hogg) took the chair at 9.30 am and read prayers.

CARBON POLLUTION REDUCTION SCHEME BILL 2009
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CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD ASSISTANCE) BILL 2009

Second Reading
Debate resumed from 11 August, on motion by Senator Faulkner:

That these bills be now read a second time.

upon which Senator Milne moved by way of amendment:

At the end of the motion, add “provided that the Government first commits to entering the climate treaty negotiations at the end of 2009 with an unconditional commitment to reduce emissions by at least 25 per cent below 1990 levels by 2020 and a willingness to reduce emissions by 40 per cent below 1990 levels by 2020 in the context of a global treaty”.

Senator Mason (Queensland) (9.31 am)—Let me start by reminding the Senate what this debate is not about. This is not a debate about the environment. This is not, in fact, a debate about global warming or climate change. This is not a debate about the scientific challenge facing humanity and the best ways to respond to that. No, this is a debate about flawed legislation that the government is trying to rush through as fast as possible to satisfy and feed, in the end, Kevin Rudd’s moral vanity. That is what this legislation is really about. There are no credible reasons—no scientific reasons, no environmental reasons, no economic reasons—to rush this flawed legislation through at this very moment. None. There are only two reasons for doing so and they have absolutely nothing to do with the welfare of the planet or the wellbeing of this nation—or indeed with good public policy at all. Labor is hell-bent on ramming this flawed legislation through the Senate for two reasons: one is personal and the other is political.

Essentially, this legislation is designed to make Kevin Rudd feel a bit better about himself while at the same time trying to cynically wedge the opposition, no matter at what cost to our country. It is not about the environment; it is all about politics. It is not about the warming, it is about the wedge. It is not about saving the planet; it is about damming the opposition. Last but not least, the Carbon Pollution Reduction Scheme Bill
2009 and related bills are a sacrificial altar at which Kevin Rudd will quite gladly sacrifice Australian jobs, our competitive advantage and our standard of living so that he can amply demonstrate to those very enlightened international elites his green credentials and he can show that he really and deeply cares—so that he can ‘out Gore’ Al Gore; so that he can outdo Princess Mary and conquer Copenhagen before the conference even starts. Maybe he can even pump up his resume, his CV, on his inevitable ‘Long March’ towards the secretary-generalship of the United Nations. The economy, jobs, the standard of living—who cares? Just call it all collateral damage to Kevin Rudd’s moral vanity. For this is the price that Kevin Rudd is prepared to pay. Because, you see, Kevin Rudd wants to be loved. That is his problem. Can’t you imagine it? A pat on the back from President Obama—he wants that—handshakes from European Union officials; photo ops with Al Gore; accolades from scientists and bureaucrats in silk ties and plenty of expensive aftershave: all the things that he lusts for, all the things that he needs. It is all there, just within his grasp, if he can only jump the gun on the rest of the world and drag Australia to go first. That is the issue.

But it might not have occurred to Kevin Rudd that what is good to Kevin Rudd might not be so good for our country. And it is not. It is not good for thousands, perhaps tens of thousands, of Australians, particularly those in regional areas and particularly in Queensland, who will lose their jobs as a result of this flawed legislation. In the past we exported our mineral wealth to China and to India. Now, thanks to Kevin Rudd, we will be exporting our jobs to China and to India. It is not good for millions of Australians who will needlessly have to pay much higher prices for their energy. But that is nothing new for Labor, nothing new at all for the party of high taxation and high debt. It is not good either for the Australian economy or the Australian environment, because Labor’s proposal does not even have a sufficient environmental bang for the buck. It is poor legislation. These are bad bills. They are rushed bills and they are flawed bills.

It does not matter if the earth is warming or cooling or staying stable. It does not make these bills any less flawed. It does not matter if the temperatures were to rise half a degree, two degrees or five degrees over the next century. They are still flawed bills. It does not matter if and to what extent the earth’s climate is changing to our detriment. These bills are not the answer. It does not matter if you are a believer, a sceptic or an agnostic. The earth can afford to wait another few months, but we cannot afford to hurry and get this wrong. That is why Kevin Rudd and his government should stop and listen. They should listen to the opposition’s proposals, which will save jobs, keep energy costs down and double the reduction of carbon emissions—all at a much lower price tag than the Labor proposal. Our proposals are better for jobs and the environment, better for Australia and the planet. Labor’s bills are flawed. We cannot and will not vote for bills that destroy jobs, increase living costs, effectively tax every Australian and do virtually nothing for the environment. All this is to feed Kevin Rudd’s moral vanity. This is not legislation at all; this is a pathetic psychodrama—and a very, very expensive one at that.

The ACTING DEPUTY PRESIDENT (Senator Crossin)—Senator Carol Brown.

Senator Cormann—Follow that!

Senator Marshall—Yeah, follow that nonsense!

Senator CAROL BROWN (Tasmania) (9.37 am)—Yes, I was a bit shocked. I thought I was in a psychodrama.
The ACTING DEPUTY PRESIDENT—Order! Senator Brown has the call.

Senator CAROL BROWN—It is with much pleasure that I rise to add my voice in support of this tremendously significant bill, the Carbon Pollution Reduction Scheme Bill 2009, which introduces Australia’s first Carbon Pollution Reduction Scheme, the CPRS, and the associated bills. The introduction of a Carbon Pollution Reduction Scheme represents one of the most significant environmental and economic reforms in the history of our nation. The CPRS will not only be good for the environment; it will be good for the economy, it will be good for jobs and, in the long run, it will be good for Australian families. The CPRS will herald a new era. It promises to rejuvenate our economy, revolutionise industry, create new jobs and encourage all Australians to foster and embrace a new, more sustainable way of life.

There can be no doubt our earth is warming, our weather is heating up and our environment is becoming drier as a result. While the worst impacts of climate change are yet to be experienced, it is not just a problem for the future. Climate change is here now. The chance to avoid climate change altogether is lost. As the Minister for Climate Change and Water, Penny Wong, highlighted in her National Press Club address, the Copenhagen synthesis report found that the temperature rise is already affecting health in many societies. The increasing number of extreme weather events, such as heatwaves, floods and storms, is leading to a growing toll of death and injuries from climate change disasters. The impacts of climate change on water systems are already apparent in many parts of the world.

The need for action has been clear from some time. Leaders and policymakers alike have had plenty of time to get their heads around it. It has been more than 30 years since the first ever World Climate Conference called upon governments to guard against potential climate hazards. Indeed, with the overwhelming amount of scientific evidence before us, there can be no doubt: climate change is real.

We now face a clear choice: we can bury our heads in the sand and pretend climate change is not happening or roll up our sleeves and act. The fact that these bills are before us today is proof that the Rudd Labor government has been unwavering on this important issue and has resolved to act. Just over 18 months ago the Australian people voted for change. They voted for a party that pushed for climate change to become part of the national agenda. Since being elected the Rudd government has kept to its word: it has made addressing the serious issue of climate change a national priority—a commitment reflected by the fact that it chose to ratify the Kyoto protocol as one of its first acts after taking office.

This is only the very beginning. There is still more to be done. There is a strong but ever-growing concern in boardrooms and backyards around the country that in order to secure our long-term future there is a need to address the consequences that our collective actions are having on our planet. The government’s Carbon Pollution Reduction Scheme reflects this shift. It is the product of questions being asked, an abundance of evidence being gathered and a plan of action being devised. The very fact that we have these bills before us today reflects a change in global attitudes—that ultimately there is a price to be paid for using our planet and its resources, and it is incumbent on the government to take action.

By placing a market price on carbon emissions through the implementation of a cap-and-trade emissions trading scheme, we will see the impact of enterprise on our environ-
ment granted a formal value capable of being recognised, measured and, of course, traded in the economic sphere. In this way, the CPRS not only represents a means for reducing our carbon pollution and therefore reducing the environmental impacts of climate change; importantly, it also offers the opportunity to revolutionise our economy by fostering growth in new industry and investment opportunities and therefore supporting our economy through the transition to a low-pollution future.

Indeed, the CPRS and our renewable energy target will stimulate greater investment in new technologies, including solar, wind, clean coal and geothermal energies, which will in turn foster the creation of countless new low-pollution jobs. Treasury modelling released in October 2008 shows that the introduction of the CPRS and the renewable energy target will see the renewable energy sector grow to 30 times its current size by 2050, creating new jobs.

This can only come as welcome news for my home state of Tasmania. As the Tasmanian Premier, David Bartlett, recently highlighted in his speech to the Australian Labor Party State Conference, Tasmania is already a renewable energy leader. Indeed, 70 per cent of Tasmania’s energy resources already come from renewable energy sources. That is something that at this time no other state can match. And, with climate change an undeniable reality, the Premier has indicated that he intends to ensure that Tasmania becomes a world leader in the development of renewable energy resources. Tasmania is delivering on its renewable energy agenda.

As I speak, a number of national companies are exploring geothermal energy, hot-rock energy, solar energy and further wind energy sources in Tasmania, as well as exploring options for tidal and wave energy off Tasmania’s northern coastline. In many respects our state is leading the way in renewable energy generation, and the beauty of it is that we have been doing it for decades. Hydro Tasmania is Australia’s leading renewable energy business and for years it has been harnessing and refining the use of the Tasmania’s natural water and, more recently, wind assets. It currently provides power to the national grid and trades energy and environmental products in the national electricity market. Hydro Tasmania’s CEO, Vince Hawksworth, has welcomed the government’s commitment to renewable energy and the expanded renewable energy target. He indicated that Hydro has ready a strong pipeline of projects that will increase the level of renewable energy generation in Tasmania as well as new projects on mainland Australia. In light of the current global economic downturn, this offers the promise of renewed investment and the emergence of new job opportunities in a state that has been forced to rely heavily on traditional industries to support jobs and the health of its economy. It is imperative this legislation is passed so we can begin taking active steps to address climate change and pave the way for business toward a low-pollution future.

Unlike those opposite, the government has remained committed to tackling climate change at every step of the way. We believe that is it time that we as a country take responsibility for our actions. In the lead-up to the last election, the then Rudd opposition put this on the agenda by commissioning Professor Garnaut to assess the impact of climate change on Australia’s economy, environment and water resources. This was after 11 long years of complete neglect by the then government. The Rudd government’s clear and unified position on climate change stands in stark contrast to those opposite, who have been split on this issue. Indeed this issue has proven just how out of control and unfit to govern the opposition
really is. The minister for climate change, Penny Wong, pointed out in her National Press Club address that the coalition’s latest policy position is a ‘mongrel’, just another failed attempt by their failing leader to appease a divided party room. And despite the overwhelming evidence, there are still a number of people amidst their ranks who doubt that climate change is real—let alone being able to agree on a plan of action.

It is crucial that the CPRS bills are passed, to both maximise the chances of a global deal at Copenhagen in December and provide business certainty. When combined with the government’s commitment to introduce a renewable energy target to ensure that 20 per cent of our electricity is sourced from renewables by 2020, the CPRS will see Australia become a low-pollution economy while stimulating new investment and creating new jobs.

Unlike those opposite, the government sees addressing climate change as part of the solution. This is a government that is in touch with the realities of the current global recession and that is listening to key stakeholders and householders about the best way to ensure the success and sustainability of the scheme in light of this. The government has consulted and listened and acted accordingly to strengthen our CPRS package. It is now up to those opposite to stop stalling and to support it. There will never be a perfect time to introduce the scheme, but, as the government has said in the past, our window of opportunity to act will only get smaller. It is time to set the wheels in motion, and that starts right here with the passage of this legislation. It is time those opposite got themselves in order and committed to this country’s long-term future. The government recognises that we have to make the tough decisions now if we are to prosper in the future.

It is important to be reminded of what is at stake. It is not just our environment, but also our future productivity, our jobs, our very way of life. This is exactly why the government is determined to press on. We were elected with a mandate to act on this important issue and we intend to do so. The Carbon Pollution Reduction Scheme will ensure Australia invests in the industries of the future, like renewable energy, and in jobs using new technologies, creating new areas of investment and the market for new low-pollution jobs. There will never be an easy time to deal with climate change, but transitioning to a low-pollution economy is vital to Australia’s long-term economic prosperity. I commend the government for its steadfast commitment to tackling climate change. I commend the minister for climate change, Senator Penny Wong, for her hard work and dedication to the CPRS. Finally, I commend this vitally important piece of legislation to the chamber, and I urge those opposite to support it.

Senator FIERRAVANTI-WELLS (New South Wales) (9.48 am)—I rise to make a contribution to this debate on the Carbon Pollution Reduction Scheme Bill 2009 and related bills, with a particular focus on their impact in the Illawarra. In complex debates such as the one we are currently facing, careful scrutiny is vital. It is vital because we face what is without doubt the biggest deliberate structural change ever to be considered to our economy. I find it deeply concerning that the government is desperately rushing to legislate such a complex scheme in a manner which suggests an utter disregard for jobs and Australian industry. Even by the government’s own assessment, the cost to the economy and employment will be significant. Other nations have acknowledged the full consequences of introducing emissions trading schemes and are treading with noticeable caution. The Labor government ap-
pears to be leading us on a path which will export jobs and emissions because of the massive tax on electricity, which will make key regional industries uncompetitive.

As those before me have suggested, by definition we are dealing with an issue of global significance which can logically only be solved with a global solution. As Mr Turnbull explained in his second reading speech:

... we have to recognise that, because of the global nature of this problem, if we reduce emissions in this country but in doing so cause emissions to increase somewhere else, there is no environmental benefit.

At the very core of this debate we must acknowledge that the scheme alone is not conducive to a global reduction in emissions. The timing of the government’s approach is concerning in itself. However, what is more significant is the fact that this ill-conceived plan will achieve no net gain while resulting in significant job losses right across Australia.

I will not seek to reiterate many of the points already uttered by my colleagues. I feel it is crucial that we frame this debate on an emissions trading scheme around its potential impact on jobs, the economy and the regions. As a senator based in the Illawarra region of New South Wales, I am constantly reminded of the important role that export industries play in our economy. The Illawarra is a region built around an industrial port that supports tens of thousands of jobs. Wollongong and the Illawarra will bear the brunt of any emissions trading scheme, a fact not lost by the Illawarra Mercury, which has been giving prominent attention to this debate and adequately expressing residents’ deeply held concerns over prospective job losses.

As was discovered through the Senate Standing Committee on Economics’ inquiry into this bill earlier this year, BlueScope Steel, the main employer in the Illawarra, has identified that the scheme threatens to erode tens of millions of dollars from the company’s books within the first year and has the potential to threaten the viability of the 12,000 jobs that its operations support. It is no wonder then that many Illawarra residents—and let me remind you that this is a region traditionally considered a Labor heartland—are now crying foul that the one-time party of the workers appears to have lost touch.

As one person commented in response to an Illawarra Mercury article in April this year: ‘Champagne socialists the lot of them—they are not the working person’s party anymore.’ Many other residents have uttered similar sentiments. It is evident that this government is creating a climate of fear amongst Illawarra residents, whose livelihoods are so reliant upon these crucial trade exposed industries. A closure of the steelworks would mean the loss of 4,700 jobs at Port Kembla amid the loss of 12,000 jobs supported by steelmaking activities within the region. It is concerning that the government has embarked upon such a complex scheme without addressing the concerns of so many vulnerable Australians such as those living in fear in the Illawarra. It is as if in this government’s haste those people’s legitimate concerns and questions go unanswered. As the Illawarra Mercury editorial of 2 April posed:

The question now for the Federal Government is whether throwing 12,000 people in the Illawarra onto the unemployment scrapheap is worth the price of what is likely to be only a notional gain for the environment.

Under the Howard government, in June 2006, we experienced a smaller-scale problem when global operations and demand led to the unfortunate closure of a plant at Port Kembla resulting in 250 job losses. Fortu-
nately, we were able to immediately announce a $5 million Port Kembla industry facilitation fund to assist structural adjustment of the Port Kembla area economy. This program was without a doubt a success. It was able to foster industry growth and minimise unemployment in the region. Nevertheless the stark reality is that any prospective job losses from this proposed CPRS will make it immensely difficult for many of the people who lose their jobs to move into other employment. As we found in June 2006, these people possess specific skills and often find it difficult to move into other employment. The problem is compounded by the fact that this scheme is being proposed amid a global financial crisis and rising unemployment whereby there are few employment opportunities for these workers to transition into.

I would like to raise some of the deep concerns that have been expressed by Illawarra residents through letters to the editor. For example, Phillip Motbey wrote on 2 April 2009:

Australia only produces 2% of the world’s carbon emissions and to introduce this radical scheme in the middle of a global recession would be economic suicide because the Carbon Pollution Reduction Scheme creates an enormous impost on industry, throwing hundreds of workers onto the dole queues. This is the government whose mantra is ‘jobs, jobs, jobs’ and yet the very nature of the CPRS destroys jobs because it creates an unwanted tax on industry just when they are trying to maintain their quotas in productivity for the sake of the economy and full employment.

Dave Cox wrote on 6 April 2009:

It is all right to come up with ideas about ways to save the planet but someone had better give serious thought about ways to save the livelihood of the people that live on it as well.

I believe this proposed scheme and the manner and timing in which it is being introduced will export jobs overseas. The fears and apprehensions felt by the people of the Illawarra are justified as they know full well that they stand at the forefront and will face the full brunt of this job-destroying scheme.

The coalition has given careful consideration to an alternative to this flawed scheme. The Frontier Economics report commissioned by the coalition and Senator Xenophon demonstrates that the Labor government’s scheme will unnecessarily drive up electricity prices, destroy jobs and expand the size of government in Australia. It is now time that the Labor government pushes its ego aside and sits down at the negotiating table with opposition and minor party senators and other stakeholders to design a more effective scheme. This is vital not only to provide certainty to those workers in the Illawarra but also so that the government can confidently say that they are acting in the interests of all Australians.

Senator TROOD (Queensland) (9.56 am)—This chamber is of course no stranger to controversy. Indeed it is the lifeblood of what we do. This may well be a unique situation because, with the Carbon Pollution Reduction Scheme Bill 2009 and related bills we have proposals for a profound set of reforms which will affect the nation and indeed have international implications, yet the science on which these proposals rest is deeply contested. Even after the United Nations Intergovernmental Panel on Climate Change produced its fourth report concluding, with a very high degree of confidence, that climate change is occurring, that it is caused by a build-up of greenhouse gases and that human activity is largely responsible, there remain the sceptics and the doubters about the nature of climate change. I deeply respect their position because there are doubts about the collection of scientific data, there is a credible critique of the climate change modelling and there has been legitimate concern and a wide degree of disquiet about the often-tenden-
tious ways in which the participants on both sides of this debate have used the evidence to support their particular cause. In some respects it has not been a particularly elevating time in public debate. But we here in the national parliament are bound to address this particular issue of our time. We are in a position where we are obliged to make some decisions to take up a view about the nature of this science.

I could spend time on the next part of my remarks dealing with that in great detail but I certainly do not propose to do that on this particular occasion. Rather, I have come to the view that there is a case for the parliament to act on this matter. I draw senators' attention to paragraph 6.4 of the report of the Senate Economics Legislation Committee of June 2009 where it is said:

It is still not completely impossible that these scientific experts are misguided. But it would be folly to assume that they must be wrong. Even if there were only a modest chance that the scientists are right, a prudent approach is to take out some insurance by acting now to reduce global emissions.

I think that is the right course. Indeed, that is the course that the coalition accepted some time ago. You will recall, Madam Acting Deputy President, that the Howard government went to the last election in 2007 with a commitment to introduce a world-class emissions trading scheme and to have it commence in 2012. It would be a world-class ETS that would take account of Australia’s interests and would be aligned to the international progress which was being made on the mitigation of greenhouse gases.

Instead we have Labor’s plan. What is contained in these bills that we are now debating is Labor’s overly complex, deeply flawed CPRS for which it claims it has a mandate. I acknowledge that it does indeed have a mandate. It went to the last election seeking a mandate for a whole series of things, and it certainly sought a mandate in relation to a response to climate change. But it does not have a mandate to wreak havoc on the Australian economy. It does not have a mandate to destroy jobs. It does not have a mandate to destroy Australia’s trade competitiveness. It does not have a mandate to impose crushing new burdens on Australian business, families and lives. And, in particular, it does not have a mandate to do any of these things—rather it has a mandate to act responsibly in Australia’s national interest. But these are the things that will happen if this CPR scheme is introduced.

We should ask ourselves: there is a cost to introducing this legislation—to what end? What is the argument for making us bear these outrages, horrendous costs to the Australian economy and the lives of Australians, and for what benefit? The reality is that the scheme before us contains absolutely no assurance that we will achieve the mitigations that are asked of us or intended. The government proposes that in the medium term, by 2020, we will reach somewhere in the vicinity of five per cent to 15 per cent of emissions below the 2000 level. There is no compelling evidence to suggest that this scheme will achieve that particular objective, and indeed this dinky scheme is unlikely to get anywhere near those kinds of proposals. And, if it does so, it would be at a massive cost to Australian communities.

I think Australians want a response to the challenge of climate change. I think they want one that will work, that will make a difference. And I think they are prepared to pay some sort of price for that response. I think the business community wants a measure of certainty about climate change and mitigation so that they can plan ahead. They do not want to be conned or they do not want
to be misled, and they certainly do not want to be part of a Labor government pursuing an ideological obsession, as it is doing with the particular scheme that is before us.

Australians want a scheme which will be proportionate to Australia’s share of the responsibilities it has for global gas emissions. This is in the vicinity of 1.4 per cent or 1.5 per cent of global emissions, a relatively modest contribution. That is a statistic that should be in the mind of everybody in this debate because it is the foundation upon which Australia should draft and craft its response to this particular challenge. Regrettably, the scheme before us does not take that into account.

All along the government have played the politics of this particular issue. It has been an obsession. The government have an absolutely arrogant determination to ram through these bills—no other proposal but this particular ETS—without any other ideas being considered or any other proposals up for debate. ‘We have the answers,’ is the government’s proposition on this. ‘While we have the answers, we’re not proposing to entertain any other proposals.’ From the very beginning, from the time Labor took office after winning the November 2007 election, they have been focusing on the politics of the issue.

You will remember, Madam Acting Deputy President Crossin, that not long after the election a coterie of ministers, politicians and officials took off for Bali to triumphantly sign the Kyoto protocol, trailing GHG emissions behind them. I bet the 387 parts per million—what apparently should be the level of emissions on a day—went up astronomically as Mr Rudd took his retinue to Bali to sign up to the Kyoto protocol. From that day forth, it was not just a matter of signing up to the Kyoto protocol; it was a matter of the government joining the climate change glit-
that in-principle support and to act on our willingness to deal with it.

If that is not enough, the last cynical act of the government was to reject the proposal that the coalition put on the table some weeks ago in which we outlined nine principles. These propositions provide the foundation for an alternative and better scheme to that of the government’s. Again, the government has treated the propositions with contempt. It has treated them with the same contempt as it has had for so many of the contributions that we have made to this debate, because it continues to act as if there is some kind of desperate urgency about the need for action in this area. We want to ask ourselves: what is this urgency? What is the case that requires us to pass this legislation? The last time it needed to be passed was before the winter break. The government is desperate for it to be passed as soon as possible and certainly before the Copenhagen meeting in December. This scheme is badly flawed. It is a scheme that needs reform, and there is no compelling case for its urgency. The government makes two points about urgency. It makes the Copenhagen argument, which is that it has to have the legislation passed prior to the Copenhagen meeting towards the end of the year. This is arrant nonsense. And we know it is arrant nonsense because Mr Yvo de Boer, the Executive Secretary of the UN Framework Convention on Climate Change has said that it is arrant nonsense. He has not used those words—he is too polite to do so, of course—but he has made that point in response questions about whether the United States legislation needs to be passed. He has made the point that it is does not need to be passed. He said that US domestic legislation does not necessarily have to be in place.

The Americans emit a considerably larger percentage of global emissions than we do. If their legislation is not needed, there can hardly be a case for Australia to pass its legislation. What we need before Copenhagen is a clear negotiating position, and that is precisely what we have proposed. The opposition has supported the government in taking to Copenhagen a proposal which would allow a five per cent reduction on 2000 levels by 2020. It has also given a further commitment that, if there is a comprehensive agreement, it will go to a reduction of 25 per cent. The government does not need any more. It can go to that Copenhagen conference confident that it has the support of this parliament and the opposition for its negotiating position. This will almost certainly not be the first meeting on these matters. Copenhagen will probably have numerous iterations. One suspects that the meeting in December will, in the end, break up without any kind of conclusion and that there will be a succession of such meetings over the next 12 months, at the very least. So the government has what it needs to go to Copenhagen. It does not need any more.

There is a second argument for urgency, and that is the ‘follow my example’ argument. This is a good argument, because here the government can puff itself up, with all of its climate change plumage on display, and take the moral high ground. This is an argument that says that Australia must be pure—Australia must pass its legislation and, when it does, it will set an example for the rest of the international community; they will be inspired. All of those other countries—the countries that emit far more emissions than we do: the Chinese, the Americans, the Indians, the Russians, the Indonesians and everybody else—will be inspired by the Australian example and will follow it. They will be so inspired that they will not be able to help themselves. What a conceit! What a massive conceit to believe that that could be the case.

This is a Prime Minister who is supposed to know something about foreign policy and
we are asked to accept the proposition that Australia, with 1.4 to 1.5 per cent of international emissions, can set an example which will be followed by other members of the community. The US has emissions of 18.3 per cent on 2005 numbers; China is about the same; India is 4.6 per cent—and it goes on. This is an idea from the fairy-floss school of international relations. It is comprised of nothing more than sugar and hot air, and we ought not to pay any attention to it. It has absolutely no credibility. It has no worth as a proposition in international affairs and it certainly has no worth in relation to climate change. Australia should be going to the conference in Copenhagen, in December, and it should be prepared to play its part, consistent with the proportion of greenhouse gasses that it emits in the atmosphere, which is 1.4 to 1.5 per cent. It is, as I said earlier, arrant nonsense to believe that we should be doing any more.

There are a large number of flaws with this scheme that deserve attention. It will cost the Australian economy a massive number of jobs. I am concerned about the fact that in Queensland, on some calculations, something in the vicinity of 28,000 jobs will be lost from the coalfields in those areas of central Queensland and the like. There is a serious concern that ought to be aired with regard to the comparison of this legislation with the Waxman-Markey legislation.

Agriculture is treated extraordinarily badly. It has been omitted from the scheme for decision in 2013. There is a complete absence of agricultural offsets in relation to the scheme where those in the agricultural and rural sector might take advantage of the assets they have to get some carbon offsets. The coal industry is going to be badly affected of course and the proposals in relation to fugitive coal are very silly indeed. This model needs reform. It needs urgent reform. Otherwise, what we have before us here is a 684-page national suicide note which needs to be addressed. (Time expired)

Debate (on motion by Senator Arbib) adjourned.

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

MINISTERIAL STATEMENTS

Papua New Guinea: Aircraft Accident

Senator FAULKNER (New South Wales—Minister for Defence) (10.16 am)—by leave—I regret to inform the Senate that a PNG Police Search and Rescue reconnaissance helicopter has located the crash site of the wreckage of a Twin Otter aircraft with Air PNG colours. The location is just north of the village of Isurava and it is at an altitude of 5,500 feet.

The PNG Police landed their helicopter below the crash site. This group of PNG Police will attempt to reach the crash site on foot. It is important for us to understand of course that the terrain presents obvious difficulties of access. I can inform the Senate that the Minister for Foreign Affairs, Mr Smith, has advised me that consular officers have contacted all of the families of the Australians on the flight to advise them that a crash site has been located.

A range of efforts is being undertaken by the Australian Defence Force to assist PNG authorities with this search and rescue operation. I do stress that it is important to remember that this is extremely dense and rugged terrain. Weather conditions today are cloudy with isolated light showers, but the weather is closing in and it is quite possible that it will hamper air efforts after midday.

HMAS Success with an embarked Sea King helicopter has been diverted from its current location near the Torres Strait. The ADF Sea King is departing Port Moresby for the site as I speak. On board will be a further four PNG Police officers, an Australian doc-
tor, and the consul from the Australian High Commission in Port Moresby. Flying time to the site is approximately 30 minutes. The Sea King will attempt to land near the site but this will depend, as I have mentioned, on terrain and weather conditions.

An ADF Caribou aircraft with additional PNG search and rescue personnel and the deputy head of mission from the Australian high commission will depart Port Moresby at 11 am for a 30- to 45-minute flight to Kokoda village. That village, I understand, is approximately a three-hour walk from the crash site.

In addition, to these ADF assets, other assets will be arriving in PNG as part of Defence’s Operation Kokoda Assist. A C130 Hercules aircraft has departed RAAF Base Richmond for Port Moresby this morning. It includes an aeromedical evacuation team.

Additionally, two Army Blackhawk helicopters from the Sydney area are being prepared for movement today by C17 Globemaster. They are expected to depart Richmond a little later today. An Australian maritime search and rescue Dornier 328 aircraft conducted an initial search last night, and it is further assisting with search and rescue efforts today. As I indicated last night to the Senate, the ADF remains ready to provide further assistance should it be required and of course for as long as is necessary. I can also assure the Senate that we are continuing to coordinate our activities with the PNG authorities. I can assure the Senate we are doing everything possible to locate our fellow countrymen who were on their way to walk the Kokoda Track. I thank the Senate again for its courtesy in enabling me to make this statement at this time.

CARBON POLLUTION REDUCTION SCHEME BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2009
AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CHARGES-CUSTOMS) BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CHARGES-EXCISE) BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CHARGES-GENERAL) BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) BILL 2009
CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) (CONSEQUENTIAL AMENDMENTS) BILL 2009
EXCISE TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009
CUSTOMS TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009
CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD ASSISTANCE) BILL 2009

Second Reading
Debate resumed.

Senator KROGER (Victoria) (10.24 am)—I would firstly like to thank Minister Faulkner for his update to the Senate on the missing aeroplane in PNG. It is a tragic discovery, and it will be a devastating one for the families of those nine missing Australians. I just wish to extend our thoughts and
prayers to those families whilst the crash site is being further explored and accessed.

Today I find myself in an unusual situation talking about a package of legislation—the Carbon Pollution Reduction Scheme Bill 2009 and cognate bills—which, if we believe those opposite, needs to be rushed through this chamber to save the planet yet at the same time will not make any difference to the negotiations in Copenhagen, where the whole world will be meeting to do just that. If you are confused by this, I am going to tell you, so am I. This confusion is one generated by the Labor Party. It was Prime Minister Rudd who admitted quietly behind closed doors that the upcoming climate change negotiations in Copenhagen will not have any groundbreaking result, whether there is an Australian ETS legislation in place or not. Yet the Minister for Climate Change and Water, Penny Wong, insists that we must have legislation up and running before the negotiations start in December. She insists that the global pact is destined to fall short if Australia does not show the world how committed it is to battling the outcomes of climate change, a very arrogant assertion. She insists that we, the opposition, have to wave this legislation through the Senate without discussing any possible amendments to this flawed scheme—amendments that could improve the outcome and protect many Australian jobs.

Interestingly, there is dissent in her own party, where not all the members support what is being proposed. Queensland Premier, Anna Bligh, is not the only Labor member who is worried about the implications of the proposed scheme and has publicly raised her concerns about the effect of the CPRS on Queensland’s coal sector. Treasurer Wayne Swan has also put on the record:

Any emissions trading scheme ... Australia has in place come December might be changed following the outcome of global climate change talks.

The Minister for the Environment, Heritage and the Arts, Peter Garrett, has been telling us all that sea levels would rise up to six metres by the end of this century, a claim no scientific establishment—not even the warming evangelists, may I suggest, from the IPCC—would support.

We then witnessed the government do a swift about-face when they dropped the solar credits scheme. Why? For no other reason than it was too successful, because there was a sharp increase in households applying for the rebate, which had already consumed the $271 million set aside in the budget to fund this very scheme. These households demonstrated they were clearly interested in investing in renewable energy and were prepared to make a difference where they could—in their homes. One has to question how interested the government is in renewable energies. Families, mums and dads, did their own cost-benefit analyses of solar systems on their roofs, and many decided it was something they wished to explore to reduce their carbon footprint. So much, may I say, for supporting and encouraging voluntary household action.

It brings to mind the contradictory quotes we have heard in relation to the global financial crisis. Last December the Prime Minister said it would be reckless and irresponsible for our economy and for our environment to delay the introduction of the CPRS. In that same month, Minister Wong said to journalists that this was not the view of the Australian government, that the delay would simply increase the cost. It is they who have moved the system back two years, not us. Why isn’t it possible to invest time in exploring alternative models, as the coalition has repeatedly suggested? Now the scheme is postponed by 12 months, with a start date of July 2011, a date that we here in the Liberal Party have
supported all along. This is too critical to muck up. Our economy is contracting and, as we know from experience and history, it is at such times when carbon emissions contract due to lesser industrial activity, regardless of whether or not we have an ETS. An emissions trading scheme must take into account what is happening in other countries, or the scheme will be doomed from day one.

What Minister Wong should appreciate is that it will be far more damaging in the long run if she goes to Copenhagen carrying under her arm an ETS which is flawed. Australia will not be held up as the flagship, the country that all other countries should follow, if the costs of the scheme prove to be prohibitive. Rather we will become the example of what other countries should not do if we do not provide maximum protection for our industries, our trade, our businesses and ultimately the people of Australia. And let us not forget: even the head of the United Nations climate change agency publicly said that it will not matter if Australia does not have its emissions trading scheme finalised by December. It would only count that Australia has made a commitment to reduce emissions tar-gets ahead of the Copenhagen summit. The Liberal Party supports the Copenhagen process and supports the emission targets as projected by the Rudd Labor government. What we do not support, however, is the design of the scheme and the unnecessary rush to implement it.

Action on climate change is wanted by the Australian voter. We in the Liberal Party have heard that message loud and clear. We are not opposed to emissions trading in general, as the government continually suggests. We simply do not believe it is the only tool in the box to act on climate change. Carbon trading is not the only answer. We are a party that believes in individualism, not collectivism, and we know, accept and appreciate that individuals have different opinions. When it comes to climate change, we indeed have many viewpoints in this party, views which do not match the religious, zealot, black-and-white approach of those on the other side of the chamber. A strength of the Liberal Party, which I am very proud of, is that we encourage individual expression. The dynamic of the Liberal Party is democracy working at its best here in Australia!

To the credit of the Minister for Small Business, Independent Contractors and the Service Economy, Craig Emerson, he has publicly stated that science is undecided on key aspects of the global warming debate. Climate change is an incredibly difficult and complicated topic. For most of us who do not hold a degree in science, it is challenging to assess the merits in this passionate debate on whether climate change is man-made or follows a natural pattern. Most of us do not have the time to get to the bottom of climate science. It is a complicated and time-consuming topic, one most people want to deal with but do not have the capacity or the resources to deal with in their daily lives. There are too many nightmare scenarios painted and too many deceptive solutions such as ‘save the Barrier Reef for $1 a day’. Whilst most of it is utmost rubbish, for most of us it is hard to tell what might be realistic and what might not be.

We need to take a step back from this overheated debate and talk honestly about what we realistically can achieve together. This is a position that more and more Australians agree with and it is shown by the shift in voters’ perceptions. I am talking about those who share everyday concerns for their families, who want to have a job to support their family, who want to give their children every opportunity in life, who want to provide for their education and health and who want to keep a roof over their heads. These people want to be responsible but they are also confused about what is the best course
of action for future generations, for their children and their grandchildren.

You can see the shift in perception in the Newspoll results. According to this data, 45 per cent of voters want the Rudd government to delay finalising its CPRS until after the Copenhagen conference, compared with 41 per cent who believe that we should not wait to see what other nations are doing. To understand the true meaning of these figures, you have to compare them with last September’s poll. Back then, 61 per cent wanted Australia to act as soon as possible, compared with 33 per cent who wanted to delay. In other words, the more people are sitting back, the more information they receive, the more time they have to assess what is going on and what the implications of the CPRS are for them and their families, the more they want further discussion about this. The public is unsure about general support for an ETS. They want more time.

Interestingly, the Senate Select Committee on Climate Policy came to a very similar conclusion. In their majority report the committee urged the Rudd Labor government to go back to the drawing board. Treasury should model the short-term costs of the scheme, the effect on jobs and in particular on regional Australia with and the comparative costs of a raft of vastly different alternative ways of imposing a carbon price. I fully support this recommendation. Why, for example, does Australia need an ETS? Why should we not have a carbon tax or introduce a hybrid model such as a baseline and credit scheme? These questions have not been responded to by Minister Wong. Perhaps the answer is pretty simple: because an ETS is easier to sell to the consumer. It is easier to sell because it is too difficult to understand the implications of this scheme. What will be the outcome? Higher prices for food, electricity and petrol.

Current estimates say that the CPRS will impose costs on electricity and other energy-intensive companies. This could easily lead to a 30 to 40 per cent increase in power bills and indirectly increase prices for most services and items purchased. Yet, from a political point of view, it is less troublesome to introduce an ETS than any other instrument—say, a carbon tax. As politicians, we all know that a new tax is very unpopular. It will not be just the big polluters who have to pay the price for the ETS; it will be the consumers, and they are beginning to understand that.

The unrealistic assumptions about the world’s action on climate change and the Rudd Labor government’s approach to this have demonstrated that they simply have not done their homework when designing the CPRS. There has been no suggestion of how many jobs this scheme will destroy, how it will affect different industries or regions, or even whether it is the most cost-effective option for Australia to reduce CO2 emissions. What will the cost be in the next 20 years in lost competitiveness and lost jobs? It hardly comes as a surprise that most businesses have absolutely no idea what will be in the pipeline for them once the CPRS legislation is introduced. The latest KPMG poll showed that more than three in 10 businesses say they have no knowledge of the key elements of the government’s scheme. They have expressed concerns about the direct cost of this scheme on their businesses, how they will be able to absorb those costs and the way in which the scheme will impact on their ability to retain their workforce.

The only interesting insight we have received from the Treasury modelling to date is one the Rudd Labor government surely would like to ignore. It suggests that we could have a differently designed ETS with higher emissions targets which would actually be cheaper for our economy, compared
to the model the Rudd Labor government proposes. We have also seen this result mentioned in a report by the Centre for International Economics which was published in April this year. The report says:

The proposition that the CPRS generates abatement at lowest possible cost has not yet been demonstrated ...

For these reasons, the coalition, together with Senator Xenophon, commissioned independent research—indeed-independent research, I might add, that we had been asking for for some time. So we did it. The report from Frontier Economics states that we could easily have a cleaner, greener and smarter scheme. We have this modelling now, which the Rudd government has refused to ask its own Treasury to undertake. Very briefly, the difference, ultimately, is that five years after the introduction of this particular scheme, the average annual household power bills would only be $44 higher, compared with the $280 price hike the CPRS would cause. This is something that households want to discuss and debate. They do not want a wet blanket put over further discussion. They want time to consider possible alternatives to the government’s scheme. This report clearly shows that a different design could actually create—not lose but create—42,000 jobs in regional Australia, instead of destroying 26,000 as proposed under the Rudd government’s scheme. The coalition do not seek to stall or block Rudd Labor government legislation lightly, but we owe it to those who elect us to this place to make sure that, with what is put in place, we get it right.

Senator COLBECK (Tasmania) (10.32 am)—I rise to make my contribution to the debate on the Carbon Pollution Reduction Scheme Bill 2009 and related bills. I note at the outset that the effects of this legislation comprise yet another broken promise on the part of the Rudd government. Kevin Rudd said before the election:

As part of its comprehensive approach to climate change, Labor has already indicated that it will develop mechanisms to ensure that Australian operations of emissions-intensive trade-exposed firms are not disadvantaged before an effective global regime is in place. This will be pursued as a key component of emissions trading, alongside the expanded MRET.

You ought to tell that to Australia’s farming community, because there is absolutely no question that this scheme is completely and utterly diabolical for the rural sector in Australia. There is no question that elements of the agricultural sector are emissions intensive and absolutely no doubt that they are trade exposed. Australia exports 60 per cent of what it grows—clearly trade exposed—and yet the Rudd government, through this scheme, leaves the agricultural sector exposed to the impacts of higher costs. And it makes no apology. When we questioned de-
partmental officials during the inquiry held by the Senate Select Committee on Climate Policy, the response was: ‘That’s the effect the scheme is supposed to have.’

Tell Australia’s dairy farmers, who this year had a 32 per cent reduction in milk price in January and a similar price reduction just this month, whose milk price has dropped by almost 50 per cent in total, to well below the cost of production, that they can afford another $8,000 to $10,000 cost imposed on them per year from the emissions trading scheme. Tell them that they can afford that.

I am pleased that the National Farmers Federation have at last said that they do not want agriculture to be included, because that is what should happen. The government should take up the suggestion by the opposition that agriculture be left out of the emissions trading scheme. The government specifically indicate in the white paper that, if agriculture does not come in after the time for consideration has passed, if the 2013 decision excludes agriculture, mitigation measures would still be applied in agriculture, which would result in a cost of emissions similar to those under the scheme. So the government’s current policy is that, if they do not bring the agricultural sector in, they are going to impose a similar cost anyway on a sector that exports 60 per cent of its product.

They promised before the election, a solemn promise from the Prime Minister—no wonder people do not believe that they can believe anything Kevin Rudd says anymore—that the emissions-intensive and trade-exposed sectors would be protected. The agricultural sector exports 60 per cent of its product, yet the government are not prepared to do anything for the agricultural sector. The $8,000 to $10,000 I spoke of is to apply from the beginning of the scheme, because it is a pass-back cost from the impost on processing.

We have a highly competitive international commodity in dried milk powder. It is as intensive to manufacture dried milk powder as it is to make cement, but the cement industry is being protected because of the threshold level and the way it is set. This demonstrates a clear design flaw in the scheme. Kevin Rudd will not keep the promise he made to the Australian people, particularly the Australian agricultural sector, when the scheme was being designed.

It is a similar situation with the beef industry. There is $60 million a year passed back to beef farmers from the processing sector of the beef industry. Again, this is a major export industry. We have enormous markets in South Korea and Japan. We had up to 50 per cent of the Japanese meat market at one stage—that is, 50 per cent of the beef consumed in Japan came from Australia. Yet the Rudd government are prepared to disadvantage this sector, not keep their election promise, with a flawed scheme design. Not only that—they will impose a whole range of other costs on the industry. They have just taken away the 40 per cent rebate on AQIS charges. That is a $42 million cost to the agricultural sector and a $32 million cost to the beef industry. When you add in the renewable energy target, a potential further $15 million cost to the beef industry, that is over $100 million a year that the government are going to impose on the beef industry. Over $100 million a year will be imposed on one of our major rural export sectors. Kevin Rudd promised that ‘operations of emissions-intensive trade-exposed firms will not be disadvantaged’. Some promise!

We have seen so many holes in the modelling conducted through this process. We were told that there would be no impact on employment. The modelling showed that there
would be no reduction in employment as a result of the emissions trading scheme. That is what we were told by Treasury officials at the inquiry. We were told that would be the long-term effect. The only problem with that is that that is an assumption of the model. It is not an outcome of the model; it is an input to the model. The assumption is that there will be no impact on employment over time. The assumption is that new industries will take up where others have been disadvantaged.

There will be some new jobs created as a part of this process. No-one is denying that. But the government have absolutely no idea where they will be. They will not recognise any of the modelling that shows what the negative regional impacts might be. They dismiss it. They try to downplay it. They attempt to discredit it although it has been done by creditable organisations, some of it for the New South Wales government. They do not want it released. They do not want the Australian people to know the truth. They try to hide the facts.

I have spoken of the beef sector and I have spoken of the dairy sector. It was great to see representatives from the Australian Food and Grocery Council last night talking about the impact on the food-processing sector. Again, this is another element of the agricultural sector that will be negatively impacted. Kevin Rudd promised that they would not be. Kate Carnell said last night on The 7.30 Report that the Australian food and grocery manufacturing industry employs 250,000 Australians. It means that products manufactured in Australia on the supermarket shelves will go up by about five per cent, but imported products from companies that do not have a carbon charge will not go up at all, so it will cost jobs. It will cost Australians who want to buy ‘Australian made’ even more.

Madam Acting Deputy President Brown, you as a Tasmanian will remember, as I as a Tasmanian remember, when the tractors came to Canberra in 2005. It was a huge event. It focused attention on Australian grown, produced and manufactured agricultural products. It placed a huge focus on them. There is enormous concern in my home state about the importation of food, particularly from China. I can tell you that this policy will promote that—it will promote more vegetables being imported from China. There are enormous concerns expressed by the agricultural sector, particularly the vegetable-growing sector. Eighty per cent of the processed vegetables in Australia are grown and processed on the north-west coast of Tasmania, so there is where some jobs are going to be lost.

I have spoken to the management of one of those firms and their impost for permits is horrific. And we all know who pays when costs go up in the processing sector: the farmer pays. If they are going to compete with the imported product in the marketplace there will be no capacity to pass the cost through to the consumer. It will come off the farmer’s bottom line. I have already said that the cost will be $8,000 to $10,000 per dairy farmer.

It is about $7 or $8 per head for a beast to be slaughtered. Now there are job losses and imported foods threatening our food supply and food security. If we lose the processing plants that exist on the north-west coast of Tasmania it is going to be awfully hard to re-establish them. Eighty per cent of Australia’s processed vegetables come out of the north-west coast of Tasmania. The very proud farmers who are looking to protect their industry are being threatened by this broken promise from the Prime Minister. That is only a domestic market but it is exposed to trade from the international community.
We have been told throughout this process that it is urgent to pass this legislation, that we have to get it passed and that business needs certainty. What they do not need is a gun to their head. The government are putting a gun to the head of agriculture. They are saying: ‘We will consider whether we bring you in. If we do not bring you in, you are going to pay the costs anyway.’ What choice do those in agriculture have? No wonder at last they are saying, ‘We do not want to be in.’ We ought to be looking at what is happening around the world and giving consideration to what is happening in other countries—for example, countries such as the United States where they allow them credits but do not count the emissions.

I was in Europe recently on a study tour. The officials from the department in the United Kingdom were absolutely gobsmacked when I told them what this government were considering doing in agriculture. Their eyes were like saucers: ‘You are doing what—considering whether you bring them in or not? We understand that, but imposing a cost whether you do or don’t is absolutely absurd.’ The government are working cooperatively in the UK with the National Farmers Union, who I also met. They are talking about a six per cent reduction in emissions from agriculture. That is an agreed target between the two but based on voluntary measures such as leaving land fallow, things of that nature. There are no such discussions in Australia. The blinkered approach from Penny Wong is: ‘This is my script. I’m going to follow it. It’s too bad what anybody says. This is the line that I’ll follow.’ No wonder Greg Combet has been brought in to clean up the mess.

But there is no urgency to pass this legislation. There is time to consider the factors that need to be considered as part of this. There is no question about that. The government have already made the delay. I feel sorry for the government senators on the Senate inquiry. Witness after witness asked them whether or not there was an urgency to pass this legislation. Some senators even suggested that the global financial crisis was not a reason to delay this legislation. Can you imagine their faces when, on the Monday after the committee completed its hearings, the government used the very reason the senators had been saying was not an excuse as the reason to delay the commencement of the scheme for 12 months? That very delay gives us the opportunity to say what the opposition have been saying all along: wait until we know what the international community is doing. Wait until we understand how the Waxman-Markey bill works out. Wait until we know what the final design of the European scheme is. They have a scheme there but it is effectively a pilot at the moment.

The government told us, and we had witnesses telling us, that there had been no carbon leakage in Europe. Of course there has been no carbon leakage, because emissions-intensive trade-exposed industries are not impacted yet. The government sent witnesses to the inquiry to say that there has been no carbon leakage, and that is the reason all the information we were being given as part of our process should not be taken notice of. For all of the witnesses that came in—the mining industry, the agriculture sector, the energy generators and the aluminium industry—the government said: ‘Do not take any notice of their evidence. You do not need to. There has been no impact in Europe.’ Of course there has not, because there has been no impact on the emissions-intensive trade-exposed industries yet. That process does not start until 2012 and they are still negotiating their mechanisms. They have not finalised it yet. This government want to rush out, disadvantage our industries, screw over our agriculture sector and disadvantage investment
in the energy generation industry. The energy sector actually told us that.

ERM Power are gas generators. They are winners under the emissions trading scheme that the government proposes. Trevor St Baker from ERM Power told us that the imposition of the government on the asset values in the power industry was actually having an impact on his capacity to raise investment funds in his business. So the message that this government are sending around the world is, ‘Be careful about investing in the energy sector in Australia, not just the coal sector and not just the emissions-intensive ones but even those that are winners.’ ‘The remaining international lenders are even more sensitive to change country risk and particular sector risks,’ is what Trevor St Baker told us in his evidence to the inquiry. The government claim they have this just about right. Clearly they have not because even the winners cannot get investment funds under the scheme they are proposing. It is absolutely absurd.

The government tell us again that this is urgent and we need to get it passed before Copenhagen and that we need to send a clear message. Interestingly, as previous speakers from the coalition have already said, Mr Yvo De Boer from the United Nations climate change body said, ‘What people care about in the international negotiations is the commitment that a government makes on a certain target.’ That is what they care about. On my study tour I spoke to the EU, the French government, the UK government and the OECD, and that is the message that I got—what people care about are the targets. I said to them that we support the government’s targets. We support five, 15 and 25 per cent depending on what Copenhagen does. They understood that it was sensible for Australia to wait and see what, particularly, the US does and what the EU does. They are the ones that are going to influence what happens internationally more than anybody else. They are the big players in this process. They understood that that was a sensible policy. They also understood that things will change at Copenhagen. Some of the accounting rules might change.

I spoke yesterday in this place about carbon stored in solid timber products. That could be one thing that changes. It would be a significant positive for the forestry industry. A number of other things will change at Copenhagen. Simon Crean has even admitted that, if we pass this legislation now, we will probably have to amend it after Copenhagen. So why not get it right? Why not do it properly the first time? What is the rush? The government have already delayed the commencement of this scheme. They do not need to delay it any further. They can wait until after Copenhagen, as we have been saying all along and as we recommended in our committee report. When we looked at the scheme, we travelled across the country and talked to witnesses on all sides of the equation. I got a similar response when I spoke to different jurisdictions in Europe. They were worried about the targets. They appreciated the fact that we had bipartisan support for the targets, but what they were really worried about was that we stuck to those. They were not worried about whether or not we had legislation.

One other thing that concerns me is the churn through the scheme that will occur. Caltex told us that $17 billion will pass through Treasury coffers between the commencement of the scheme and 2025 and that there will be no reduction in emissions from fuel. There will be $17 billion passing through Treasury; the government will take off their little bit for managing it. But it will not do anything. If it is so urgent, don’t we want a scheme that will actually do something, that will reduce carbon emissions? That is what the government say—they are
going to save the world. That is what this process will do for us. Yet in fuel there will be enormous churn. Prices for petrol will actually go down for the first three years. The government are overcompensating. Then they will start to rise again. But they will not achieve anything. There will be $17 billion going through the system for no effect. There is no question that this scheme is all about politics. The Prime Minister set a political target. He has had to back down from that target for logistical reasons. He should be prepared to do this properly. He should give this parliament and the country the proper time to consider the things that need to be considered as part of this process. (Time expired)

Senator McEWEN (South Australia) (11.02 am)—At the outset, I would like to thank Senator McGauran and other members of the opposition for agreeing to allow me to move up the speakers list on the Carbon Pollution Reduction Scheme Bill 2009 and related bills to accommodate my other commitments today. Thank you for that. The Labor Party, under the leadership of the now Prime Minister, Kevin Rudd, went to the people of Australia before the 2007 federal election promising action on climate change. The vast majority of Australians, unlike some in the coalition, accepted that climate change existed, agreed that climate change was the single biggest threat to the future prosperity and wellbeing of Australia, accepted that human activity causes carbon pollution and that that is causing our climate to change and elected a government that was prepared to act and to act quickly and responsibly. Australians knew that action to stop the carbon emissions that exacerbated climate change would come at a cost—an economic and a social cost—but they were prepared to accept that. In fact, as we know from the take-up of domestic environmental renewable energy and energy savings initiatives, most Australians are enthusiastic about changing their polluting behaviour and are prepared to do what they can to help in the war against climate change.

Here today we are confronted with an opposition that are once again attempting to deny the facts, to deny the science, to deny the will of the Australian people and to deny future Australians a cleaner, greener future. When they do not have their heads in the sand, they search here and there for a policy, for a piece of research. They look to other countries, they look to—and sometimes away from—their dithering leader and they look to anything that they can grasp and use to justify their unwillingness to make a decision to bite the bullet, to actually accept reality, to accede to the will of the Australian people and to commit to supporting the government in its battle against the biggest long-term threat to global and Australian security and wellbeing. From the way they behave, we know that the opposition are still not serious about tackling the causes of climate change. They treat it as some kind of new thing they have to mull over for a bit longer and try and get their heads around, despite the fact that concerns about the detrimental effects of concentration of human generated gases in the atmosphere have been around for more than a century, despite the fact that it is now 20 years since the Intergovernmental Panel on Climate Change produced its first report and despite the United Nations Framework Convention on Climate Change, which arose out of the Rio earth summit 17 years ago. Even the Howard government acknowledged the need for an emissions trading scheme.

There is not time for mulling it over. World temperatures are rising. That means higher sea levels, less agricultural production and more diseases. The Intergovernmental Panel on Climate Change has found—
through the assessment of the latest scientific, technical and socioeconomic literature—that our water resources, coastal communities, natural ecosystems, energy security, health, agriculture and tourism are all highly vulnerable if temperatures rise by just three degrees Celsius or more. I am here representing my state of South Australia, and it is worth reiterating the likely effects of continued climate change and global warming on my state. South Australia is gradually becoming warmer. Southern coastal areas, where most South Australians live, are becoming drier but rainfall is steadily increasing in the state’s north. While global surface temperatures have increased 0.7 degrees Celsius over the last century, Australia’s change is more noticeable at 0.89 degrees Celsius nationally. Staggeringly, though, South Australia’s surface temperature has risen 0.96 degrees Celsius over that period of time. Those temperature rises have become more rapid since 1950 and on current projections are set to continue.

Over the last 50 years, industry losses in South Australia have increased due to global warming. Unfortunately, if the current trends in my state are not addressed, a large part of South Australia’s $3.6 billion agricultural production sector will be at risk. It is also estimated that, in comparing production under climate change relative to what would have otherwise been, and assuming no mitigation or adaptation, farm output of wheat could decline by 12.3 per cent by the year 2050, sheep by 11.7 per cent and dairy by 11.3 per cent. Unmitigated human-caused climate change will also inevitably affect many of South Australia’s popular, valuable and iconic winery regions, including the Barossa Valley and McLaren Vale. If the weather variations continue on the trajectory that they are on at the moment, reduced rainfall and water availability would place the state’s $430 million grape production in jeopardy.

It is also very plausible that more than 60,000 buildings along the South Australian coastline will be at risk from sea level rise, coastal erosion and flooding should the current projections of the results of unmitigated climate change come to fruition. Studies have found that, if climate change and global warming continued at their current pace, by 2100 a global sea level rise of one metre or more would occur. This sea level rise combined with more intense storms would threaten coastal housing and infrastructure.

In March last year Adelaide smashed the heatwave record for the most consecutive days above 35 degrees Celsius. We sweltered through 15 days of over 35 degrees and 13 consecutive days of or above 37.8 degrees Celsius. The state set new heatwave records for any Australian capital city. As global warming continues, the number of heatwaves will rise, and subsequently the number of people vulnerable to heat related illnesses and death will climb. Studies have shown that, on current projections, the number of very hot days in Adelaide could increase from 21 per year to 26 per year by 2030. Additionally, studies have estimated that, if temperatures continue to increase, the annual number of heat related deaths in the city of those aged 65 and over could grow from the current figure of 200 to between 342 and 370 in the year 2020—that is just a decade away—and to between 482 and 664 persons per year by 2050.

That is not a future I want for South Australia, but clearly there are those in the opposition who are unable to comprehend the truth. They are prepared to procrastinate and delay in the hope that the truth will go away and they will never have to deal with the reality that right here in Australia we need to act quickly, effectively and responsibly.
In early July 2009, a disturbing report by the executive director of the Australian National University’s Climate Change Institute was released dealing with the speed and severity of climate change. That report, entitled *Climate change 2009: faster change and more serious risks*, draws on the science of climate change since the Intergovernmental Panel on Climate Change’s 2007 fourth assessment report. The report concluded that the climate change system appears to be changing much faster than was earlier anticipated. The findings of that report highlight the need for action on the nation’s greatest environmental challenge. It also highlights the severe and damaging risks that climate change will pose for our country should we continue to deferred action.

A second report, by the ANU, based on the impact of climate change and our World Heritage properties, had similarly disturbing findings. It found that 17 of Australia’s iconic World Heritage properties, including the Sydney Opera House, the Great Barrier Reef and Kakadu National Park, are particularly vulnerable to the impending effects of climate change. Should we fail to act now, the report found it is plausible that many of our World Heritage sites could succumb to the impact of reduced rainfall, higher sea and land surface temperatures, more severe storms, ocean acidification and rising sea levels.

Not only is the government’s proposed CPRS one of the most significant environmental reforms in the history of our nation; it will also bring about the biggest reform to Australia’s economy since the opening up of the economy under the Hawke and Keating governments in the 1980s and 1990s. The strong and ambitious actions that the Australian government are taking with these CPRS bills before us today will achieve a modest but substantial reduction of carbon emissions in a responsible way. Our targets of five to 15 per cent are responsible and, while I acknowledge and have some sympathy for those people who seek higher targets sooner, by setting these targets we are keeping in the range of emission reductions that are also being set in European countries.

We have set Australia’s CPRS as the most comprehensive in the world, covering 75 per cent of the Australian economy, to ensure that Australia actually meets its targets and to ensure that implementation of our cap-and-trade scheme is as equitable and encompassing as possible. It is by ensuring the broadest application that the lowest cost per organisation and individual is achieved. That basic fact is apparently incomprehensible to the opposition, who, although they have no coherent policy as such, seek to exclude or shield sectors of the economy from the need to reduce their carbon emissions because it is politically expedient for the opposition to be seen to be doing so, but in reality it is a short-term, reactive and gutless response.

The government are fully aware of the changes to the economy that will occur if this legislation passes. We do not need to delay the goal to begin reducing carbon pollution by seeking out ever more research and ever more sceptics, soothsayers and hangers-on. We do not need to wait to see what other countries might or might not do to begin our change as a nation that is determined to reduce its carbon emissions. The ‘wait and see’ attitude of the opposition is simply a cop-out.

The government is aiming for strong economic growth and is protecting employment by creating jobs. In fact, the CPRS gives us an opportunity to create new jobs in new industries as we move towards new, low-pollution technology. There will be new green-collar jobs in new industries. A 2008 CSIRO report, *Growing the green collar economy: skills and labour challenges in reducing our greenhouse emissions and na-
tional environmental footprint, shows that, despite the introduction of the CPRS, employment will grow by some 2.6 per cent to 3.3 million jobs by 2025.

Claims by the opposition that the introduction of the cap-and-trade CPRS scheme that is envisaged with this legislation will bring about some kind of Armageddon are hysterical, desperate and disingenuous. No government would commit to a policy outcome that deliberately destroyed jobs and wreaked havoc on the economy. What on earth would be the point of doing that?

I am proud to say that the government, of which I am a member, has already demonstrated its economic credentials in the effective way that it has addressed the global financial crisis. I know those opposite hate it when we quote the numerous economists who report daily on the fact that the Australian economy is not as damaged as those of other nations and in fact we are managing the GFC better than most other developed nations. I note economic analysts at Citigroup yesterday, on 11 August, released a report that found that Australian business conditions provide more evidence of recovery. It stated:

All key indicators within the survey, including confidence, forward orders, trading conditions, profitability, employment, export sales and capacity utilization, improved further in July 2009.

The report went on to say:

Business conditions are in positive territory for the first time since June last year and business confidence is around average levels…

Finally, the report found:

The rebound in business conditions has been particularly strong in mining.

That is but one example that ours is a government in control, a government with a plan and a government prepared to take the hard decisions to support business in tough times. When we support business, we support families. We will support business and families when the CPRS is introduced.

Of course, one of the best ways to support business and to ensure business confidence is to give business the certainty it needs from government. Business wants to know if there will be an ETS and, if so, what it will look like, how it will apply to them and when it will apply from. The opposition claim to be the friends of business, but what do the opposition do? They continue to prolong the uncertainty, to continue the debate, to do exactly what business does not want by um-ing and ah-ing and failing to commit to any coherent plan to address the global imperative to reduce carbon emissions.

There are a range of practical measures included in the government’s CPRS legislation to counteract the impact of the scheme on businesses. Unfortunately, you do not hear opposition speakers mention any of those measures in their speeches on these bills. The package of measures that will apply under the scheme includes assistance in the form of administrative allocation of permits to new and existing firms engaged in emissions-intensive trade-exposed activities. A global recession buffer will be applied to the allocation of baselines of emissions per unit output and that will further assist EITE businesses. Free permits worth around $3.9 billion over five years will be available for the most emission-intensive coal-fired power generators.

The government will establish the $75.8 million Australian Carbon Trust to help implement energy efficiency measures in commercial buildings and businesses. In addition, up to $200 million has been allocated to the Climate Change Action Fund to support business and community organisations that do not receive EITE assistance but do have significant energy costs. That will assist those organisations to reduce carbon pollu-
tion through energy efficiency measures. There is, as well, the household assistance package of $6 billion per year that will help households meet or offset the increase in energy costs and the CPI increases that will result from the scheme.

Passing this CPRS package of bills is critical for the future of our nation. This government wants to make a comprehensive start to reducing Australia’s carbon pollution levels, and this cannot be done without taking the first step here by passing these bills. The people we represent in this parliament want us to make the necessary tough decisions to reduce our carbon emissions so that we can begin to halt the effects of climate change. The people of Australia know that will mean big changes and they understand what the impacts will be. It is galling to hear the opposition continue to allude to the fact that the Australian people do not know what is going on in this legislation. That is a patronising attitude. The Australian public are well aware of the implications of the significant decisions that governments have to make, as they demonstrated in the last federal election.

As I said, the people we represent here are prepared to make the hard decisions themselves and to cop the pain that may involve because they understand what is at stake. They have the vision and the courage to look to the long-term benefits of acting decisively now. Unfortunately, it looks like they will be let down by the opposition, who display neither vision nor courage.

**Senator McGauran** (Victoria) (11.20 am)—I was quite happy to yield my position on the speakers list to Labor’s Senator McEwen in the hope that one on the long list of Labor senators to speak on the Carbon Pollution Reduction Scheme Bill 2009 and related climate change bills would show some balance. I yielded because frequently Senator McEwen does show that sort of balance, but what a great disappointment that speech was. I was profoundly disappointed. She simply read from the old party script of extremism. She threw out the line that, if we have a three-degree increase in global temperature, this will follow. Will it? Is that what is predicted? Is that what she believes? Is that a scientific fact? No, it has just been set up as a straw man.

I say she read from the old script of extremism, the old language, which was no doubt handed to her by the ‘high priestess’, as she was dubbed last night by Senator Bernardi—the high priestess of climate change, Senator Wong. But I would point out to Senator McEwen that there is a new script going around by the New South Wales senators from her side of the house and from their New South Wales state colleagues also, who have woken up to just how damaging this bill will be to the economy for zero effect. So I started to doubt that I should have yielded my position to Senator McEwen because everything was blamed on climate change. Those who listened would have heard that everything was blamed on climate change. It was the old rhetoric. She has missed the shift in this debate. She has missed the shift in public opinion on this. She is still at the extreme end, the Senator Penny Wong end of it all, where forest fires are blamed on climate change. That has nothing, of course, to do with state forest management—it is all to do with climate change! And, of course, every flood and every drought are directly linked to climate change—it has got nothing to do with the fact that we are on the driest continent in the world and that droughts have been part of Australia’s history! It is all to do with climate change. If you are running late for the train, it is climate change. If Geelong does not win the Grand Final, it will be climate change.
This is the extremism and the language that we all dealt with just 12 months ago. I think everyone in this chamber would agree there has been a serious shift in this debate, but the government, or at least their leadership, have missed it. People are not buying that sort of extreme language anymore. They seek a more moderate position, a more sensible approach to the question of climate change and carbon pollution reduction. The Carbon Pollution Reduction Scheme Bill 2009 does not provide it. In fact, I would say this bill is the most economically damaging bill to go through the parliament, in modern times anyway, particularly at this time, during the global economic crisis. I could not quite understand the previous speaker’s point that this is a good time to do it, that everyone is going to ‘cop the pain’—to use her terminology, they are happy to cop the pain for the so-called gain. I should not just point out Senator McEwen; she was the previous speaker but it was the same with all the speakers on the other side. I do not think they know their own scheme, to tell you the truth. Not one of them have pointed out where the gain is. Sure, they think there is a lot of political gain in this—according to the press gallery, the ‘beltway’, as they call it—but they have not articulated the true gain to Australia whilst there is no international agreement.

Given the global economic crisis that we are in, just consider the $13 billion in permits, in the first year, that companies have to go out and purchase. They will have to borrow that money at a time when they are under extreme pressure. It is not as glowing as the previous speaker, reading from some survey, would have it. The fundamentals and the facts are there; we are not in recovery. Whatever shaft of light the government is pointing us to, there is a long way to go. Putting this extra burden of some $13 billion a year on the economy, for companies to have to find that money to borrow on top of what they are already struggling with in the credit squeeze, will do great damage to our economy.

I suspect, in fact in my heart of hearts I believe, that this legislation is purely political. Senator Mason gave a brilliant analysis of just how political this bill is, particularly for the Prime Minister, Mr Rudd. When he jets off to Copenhagen, he wants it in his pocket so he can prance around showing off, as he does. He thinks he is important—yes, that is a cheap shot, Senator Conroy, but I noticed you enjoyed it.

Senator Conroy—Laughing at you, not with you!

Senator McGauran—I think you would almost agree with me, in your quieter moments. This legislation shows us the other side of the Labor Party, and this probably appeals more to Senator Conroy. The truth is that this is the mother of all taxes. The Labor Party is a high-taxing government at any time, always looking for an excuse to do so. After they were elected in November 2007 their first budget was in May 2008, so within six months they started to raise taxes. In their second budget, of course, they added to that, with no less than the alcopops tax. So they are always looking for a reason and an excuse to lift taxes. Well, they have got themselves a bill that will raise the mother of all taxes. This is a tax hike greater than the GST, which raises about $12 billion. Years of long, complex and shifting debate have accumulated in this bill before the Senate. It is a bill that will wreck the economy and deliver Labor the biggest tax take and tax increase they have ever dreamed of.

To many Labor senators, this is the main point. I am sure from listening to their addresses to the chamber that many have not read the bill. They would not even know that it is to commence on 1 July 2011. They would not yet know that, in the first year, the
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price of carbon is fixed at $10 and then is open to the market after that and will probably range between $25 and $40. They would not know that the minimum commitment is to reduce emissions to five per cent below 2000 levels by 2020, absent a global agreement; and, with a global agreement, to some 25 per cent below 2000 levels by 2020. They would not have a clue about those essences of the bill. Many of them see a tax take and they have ignored the knock-on effect of this tax take, as all tax takes have a knock-on effect.

As I said, I believe there has been a shift in the debate, and the previous speaker particularly highlighted that the Labor Party are blind to this shift. The public no longer accept the rhetoric of scare tactics that climate change is the sole cause of the drying up of the Murray, with no mention of El Nino or overuse of the Murray; or that it is the cause of the shrinking of the icecaps in the Antarctic, which not even Peter Garrett can deny anymore—he tried, but he had his head pulled in. The Antarctic is not shrinking; it is increasing. What an irony that you can no longer use that as the great icon, with the polar bears slipping off the icecaps.

This is the language and the extremism of just some 12 months ago. If you slightly challenge the science then you are burnt at the stake. But thankfully we have had some more honourable scientists come forward and balance the argument. I have been on several Senate committees inquiring into elements of climate change. You should see some of those scientists who are ramping up and drumming up the rhetoric of climate change just for extra research dollars; it is as simple as that. But thankfully some more honourable scientists have had the courage to come forward and put a more balanced argument. The absurdity of the debate reached unbelievable heights when one of Labor’s chief advisers on the issue, Professor Garnaut, suggested that farmers ought to switch out of sheep and beef production and move into kangaroo production because their emissions are less. I notice the Labor Party has not dispelled that recommendation from his very bulky report.

While Senator Wong walks into this chamber at question time and still rants the old language of extremism, the truth is that the Australian public are looking for more moderate presentations. In other words, they are looking for the truth of the matter. If this scheme was ever established, what would be its effect on the economy? What would be the effect on their jobs, their households and their bills? Will they have a job? What is the effect on worldwide emissions? This side of the chamber has had the courage to put it to the government that this is not all about politics. The effect is that people will lose their jobs by the tens of thousands. It will crush the economy and it will have no effect—it will be worthless; zero effect—on global emissions.

Labor speakers have come in here and not told the truth when they have said that we need to pass this now before the Copenhagen agreement. We found out, as other speakers have said, that the US Deputy Special Envoy for Climate Change said, ‘You don’t need to go to Copenhagen with legislation in your back pocket.’ Speakers have told us that Treasury modelling has shown that this will have minimal effect on the economy—a 0.1 per cent reduction in GDP over some 40 years, which is nothing. And who is going to still be around here in 40 years? But the truth is that that modelling was flawed because the government set the parameters of that modelling. That modelling had to assume that there was an international agreement—that China, India, the United States and Europe were all party to an international agreement. If that were the case, you may well get that result. But the truth is that they are not and, cer-
tainly at this stage, it looks like a distant hope.

Labor speakers have come in here and told us that we have to rush this through to give business certainty. I do not know what business the government have been speaking to—the Business Council of Australia, perhaps—but they ought to speak to the aluminium, coal or mining industry. I thought it was really well put by Anglo Coal Australia’s CEO, Seamus French, when it was put to him, ‘Do you seek the certainty of the ETS?’ and therefore whether we ought to pass this bill. He said, ‘We don’t want the certainty of a bullet.’ That is what this bill will result in if it is passed: it will be a bullet to business. It will be a bullet to jobs. It will be a bullet to households and families. It will be a bullet to the Australian economy. And, as I keep stressing, for what? For nothing. It is for political ends and political gains. If they want to play that political game—Senator Conroy—and set it up for political purposes down the track, go ahead and make my day. I see the shift in the public on this and I am happy to keep it simple with them and debate it.

Senator Conroy—There is no question; no-one else would claim them. They are orphans.

Senator McGauran—No, Senator Conroy. I should add that I am glad you are listening. Did this quote from Martin Ferguson escape you? I wonder what he still doing in the cabinet—this quote found its way into the Australian newspaper and has not been retracted—because he is the greatest sceptic of them all. He said something that proves how useless and pathetic this scheme is. No, do not go until you hear what Martin Ferguson had to say. The prime example is that Australia’s emissions are 1.4 per cent of the world emissions, while China is something like up to 20 per cent of the world emissions. It was reported recently in the Australian by the Minister for Resources and Energy, Martin Ferguson—and Senator Conroy, the most political of the frontbench, scurries out of the chamber when the truth is about to be laid down. I see another one has come in—Senator Carr. Politics is all he knows. If you asked him anything at all about this scheme or any detail of it, he would not have a clue. All he would say is, ‘It sure reads well in the Herald Sun’—before you get to Andrew Bolt’s page, of course—or, ‘It sure reads well in the polls.’ That is how he analyses just about every piece of legislation, quite frankly, but more so with this.

Labor’s own minister in cabinet, Martin Ferguson, quoted this fact, which is damning of the government’s scheme. He said:

And every four months, from now until 2020, China will build new coal-fired power stations possessing the same capacity as Australia’s entire coal-fired power sector.

It is estimated that China will build between 25 to 35 new coal-fired power stations by 2020. The government’s own Minister for Resources and Energy has had the courage to stand up and put a statistic down on the table which shows how worthless this scheme is,
because just one new coal-fired power station in China—and China has 35 planned to be built every four months—outdoes the whole coal industry in Australia. I repeat: Martin Ferguson said this. What is he still doing in cabinet?

**Senator Ian Macdonald**—A very good man.

**Senator McGauran**—A very good man. A very honest man. I bet that he sits alone at dinner time. I bet the Prime Minister gave him a phone call after that—or maybe he did not, because I do not think Martin Ferguson would take phone calls from the Prime Minister. They have had certain clashes in the past.

It is with that backdrop that the Liberal Party have come to the debate. We understand that carbon pollution cannot be tackled from the extreme end—the Senator Penny Wong end and the Mr Rudd end, if you like. The coalition believe that there should be a carbon pollution reduction scheme, but one that does not wreck the Australian economy and also one that is not agreed to before Copenhagen or until the rest of the world has signed up to one. To the extent that climate change is affected by man-made pollution, the best way to fight it is with a strong economy so that the major polluters like the coal industry have the finances to invest in clean coal technologies and expensive, long-range research can be undertaken in alternative fuels, like solar energy.

Time is against me—there are other speaks on this legislation—but, if I had more time, I would discuss how the effects that this legislation will range across the economy. It is not a glib statement that I make. The facts and figures are there for the dairy industry, the beef industry, the coal industry and the aluminium industry. This legislation will affect every big business, small business and medium-sized business, according to a report by the Australian Chamber of Commerce and Industry. They have noted the impact of the scheme in detail. They are not just protecting their own little corner; they are noting just how damaging this scheme will be.

But where are the unions to protect the jobs? Where are the unions to tell the government about their own scheme? Where are the great protectors of jobs? They got their legislation—‘fair workplaces’ or whatever it is called. We will soon hear about it—there is no doubt about that—as it makes its way through the economy and the thugs return to the workplaces. But where are the unions to protect the jobs of the coalminers? If you listen to the previous speakers, they would have coalminers as waiters in some restaurant or rainforest resort—that is where they are going to send the coalminers. The unions ought to be ashamed of themselves. I saw the leader of the ACTU wandering the corridors today. What was she talking about? She was certainly not talking about this scheme.

*(Time expired)*

**Senator Ian Macdonald** (Queensland) (11.40 am)—In a week that the locals here in Canberra tell me is the coldest week they have had in the last decade, it is somewhat ironic that we are debating global warming and climate change and the Labor government’s flawed and politically motivated so-called Carbon Pollution Reduction Scheme. I do not think that anyone denies that the climate is changing. Indeed, the climate has been changing for as long as we have kept records or done research. We all remember that once the globe was covered in ice. Obviously, it has changed since those days. During the break, I saw a plaque up at the Chillagoe Caves, in Cape York, which was describing the geological uniqueness of that locality. This plaque reminded us that, 250 million years ago, Brisbane was the location of the South Pole ice cap. Clearly, the
climate has been changing for many millions of years. But is it a man-made change? I am not sure how many human beings caused the ice cap to melt 400 or 500 million years ago. Perhaps some of the Labor Party people could explain that to me.

In this debate on the Carbon Pollution Reduction Scheme Bill 2009 and related bills, I do not want to make any judgment on the cause of climate change. I always think that, if the world’s top 10,000 scientists and experts cannot agree on what is causing it, what chance have I got to make an informed judgment. I have to say that, over the last five years in Australia alone, those who are studying climate change and who are promoting the view of the United Nations have received more than $200 million in research grants looking into climate change. As a result, one would think that we might have had more evidence than we have at this time. I was disturbed to learn that grants to people who do not follow the Labor Party line on climate change have suddenly dried up. Those scientists who have a different view are no longer being funded by the Labor government’s research money. That is a little bit disturbing in itself.

If there is any possibility of man-made greenhouse gas emissions being a cause of climate change then certainly we in Australia, as world citizens, have a part to play in reducing those emissions. There is a difference between playing our part in conjunction with the rest of the world and destroying Australia’s economy and the livelihoods of Australian workers by penalising our country in a way that no other country is being penalised. And we are doing this simply to pander to the political egos of our Prime Minister and our current climate change minister. Yes, of course we must play our part, but we must do it at the same time as the big emitters. When the United States, China, India and Russia reduce their carbon emissions then we should do it as well. When our competitors like Indonesia, South Africa, Columbia and Argentina start their emissions trading schemes then certainly we should do that too. But to act in advance of that is simply tilting at windmills like Don Quixote. It is a heroic statement that the Labor government would have us make, but it is one that is almost meaningless.

I think that Penny Wong is our Don Quixote of climate change. Her actions in advance of the rest of the world are at best based on misinterpretation and a misplaced heroic, romantic, idealistic justification or, worse, a con job on the Australian public to feed her political ego and that of her boss. Those egos know no bounds. I think that even Labor Party members and senators understand that Senator Wong has got it wrong. It was quite clear recently that, when there were substantial amendments made to this bill—what is it: version 10?—a couple of months ago, Mr Greg Combet was brought in, supposedly as the junior minister, to fix it up. Even the Labor Party have recognised that Senator Wong has got this completely wrong, and Mr Combet has been brought in to try to sort out the mess that has been left by the Labor government.

In this debate I could not believe my ears when I heard Labor senators saying and implying that all of the ills of the world will be cured if we pass this Carbon Pollution Reduction Scheme Bill this week in the Senate. Are those Labor senators seriously trying to tell me that we will save the Barrier Reef if we pass this bill this week? I heard a Labor senator say yesterday that the tropical diseases coming down from the north would be addressed if only we could pass this bill and Australia could start reducing some of its less than 1.4 per cent of world greenhouse gas emissions. Are these Labor senators seriously trying to tell us that the rainforests will be saved if we pass this bill this week? Give
me a break! Australia exudes less than 1.4 per cent of the world’s greenhouse gas emissions. This bill, even in its horrendous complexity and regulations, will only reduce Australia’s greenhouse gas emissions by a little bit. To suggest that the Barrier Reef is going to be saved by passing this bill just insults our intelligence.

Where is the intellectual rigour in that argument? A former Labor Treasurer of Queensland, Keith De Lacy, said that even if Australia stopped emitting all greenhouse gas today then within 12 months China would pick that up and a bit more. As Senator McGauran has just said, Martin Ferguson, a quite courageous Minister for Resources and Energy in the Labor government, agrees that Australia’s actions are only a pinprick in the world’s fight against climate change. If emissions are the cause, then it needs action from the big emitters.

Seriously, is there any real, meaningful prospect of reduction from these other countries? Is the United States going to substantially reduce its emissions? We have heard a lot about the bill that has passed through the House of Representatives, but all of the informed commentators will tell you that it will get nowhere before Copenhagen and in the end the United States will look after itself.

We have heard what China is doing. Whilst they will have words to say, they are increasing their emissions. And it is the same for India, South Africa, Indonesia, Columbia and Argentina, those countries which are big competitors of ours in coal and beef exports. They are not even contemplating an emissions trading scheme and yet Minister Wong and Mr Rudd want to penalise Australian industries, and therefore Australian workers’ jobs, in this horrible political ego trip they are embarked upon at the present time.

To suggest, as Minister Wong does, that Australia has got to go to Copenhagen with a legislated response so that the rest of the world will follow suit, is ridiculous. How vain! How absolutely stupid to think that, just because Senator Wong turns up in Copenhagen with a completed bill, that is going to influence anyone else in the world as to what they should do.

I refer senators to the evidence given by Dr Brian Fisher, the former very distinguished head of the Australian Bureau of Agriculture and Resource Economics and now a distinguished consultant. He has been involved in international negotiations on climate change. He was there at the Kyoto round when Australia did quite well. In evidence before a Senate committee he just pointed out the stupidity, the vanity of Senator Wong in believing that it is essential for her to go to Copenhagen with a passed piece of legislation so that the rest of the world will follow suit. I know that the rest of the world laugh at Mr Rudd and Senator Wong. They laugh at their naivete and cannot quite believe the egos that this pair must have, believing that they are the world saviours on climate change. Get real! I cannot believe that the Labor Party have fallen for this at all.

In fact, sitting in two Senate committees that have looked very closely at climate change and this CPRS bill, I saw that Labor Party senators, whilst they are fighting the good fight and saying the right words, deep down know that this is a crock of a piece of legislation. They know that their mates in the union movement—the bosses do not seem to be very concerned about this at all, but the actual workers—are petrified at the job losses that will flow from this. If they were going to lose their jobs to save the Barrier Reef, perhaps they might be prepared to put up with that. But of course it will not save the barrier reef. It will not reduce carbon
emissions. All the evidence that was given at the Senate committee hearings has shown that it will mean that Australia’s emissions-efficient coal industries will simply go to South Africa, Colombia or Indonesia, and there will be greater greenhouse gas emissions. Australian workers will be losing their jobs for no reward at all.

These industries—the coal industry, the aluminium industry, the cement industry—are run by multinational companies who have international boards who will put their investment dollars where they can get the best return. They are not going to put them in Australia, which is being burdened by huge taxes in the production of coal, aluminium, all of our minerals and metals, and cement—those activities and those products that we support and compete with others in. They will put their investments into places like Indonesia, who will not be looking at an ETS and who will not be looking at taxing their industries out of existence.

What happens to the workers I represent in my state of Queensland and who, I regretably say, the Labor Party has again abandoned? We heard from witness after witness, and there are statistics. Time is not going to let me get anywhere near the statistics I wanted to put into this debate, but it is clear from the evidence that the jobs of people in the Bowen Basin coal area, in the Gladstone area of Queensland, and in Mackay, Townsville, Rockhampton and Mount Isa are going to be thrown to the wolves.

The copper refinery in Townsville, where I have my office, is 50 years old this year. In the last 50 years it has produced marvellous wealth for Australia. The refinery has employed a hell of a lot of Australians. They will be looking at moving overseas. Why? Because 82 per cent of the world’s copper comes from countries which do not have and will not have an emissions trading scheme. So the Australian copper industry, which is going to be burdened with millions of dollars of taxes, will again become uncompetitive against the rest of the world. In Mackay, a city that lies on the Bowen Basin coalfields, what is the local member for Dawson doing about this? What is the local member for Flynn, based on Gladstone, doing about this bill which will cost the jobs of workers in his area? Absolutely nothing. I regret to say that senators from Queensland on the Labor Party side are going to vote to destroy the jobs of so many Australian families in the mining and minerals processing area.

The evidence is there. In the dairy industry there will be $6,000 to $8,000 per farm per year in additional costs—and that is immediately; that is not waiting for 2015, when agriculture is brought into the scheme. This is simply from the initial aspects of the Labor Party’s CPRS. We heard evidence in Mackay that rates will go up by 20 per cent in the city of Mackay, directly related to the CPRS. We have heard that electricity costs for ordinary Australian households will go up anywhere between 50 per cent and 200 per cent, particularly 200 per cent when you add the renewable energy scheme to the CPRS. These are costs that Australians are going to have to bear simply to pander to the political egos of Mr Rudd and Senator Wong. The list goes on and on. The Teys Bros abattoir in Rockhampton currently employs about 1,000 people. When this scheme comes into operation—if it ever, heaven forbid, does—they will have to cut their production by half, and 400 jobs will go out the window in Rockhampton. What is the member for Capricornia doing about this prospective job loss in her electorate? Absolutely nothing.

I have a view, and I formed this view from seeing Labor senators at various committees and from reading articles in the paper, that Mr Rudd and Senator Wong never really
wanted to get this scheme through. They know—they cannot help but know—that this scheme, in advance of our competitors, is just going to cost the jobs of Australian working families. They are playing politics. They are hoping against hope that the Senate will knock off this bill, and it will. They will then be able to go out to those who believe Senator Wong is the saviour of the world and say, ‘Look, we tried to do this but those nasty Liberals knocked it off.’ But they will be pleased in the knowledge that all of the job losses which were clearly going to happen will then not happen. The Senate will save those working families from the job losses which would follow the passing of this bill. I cannot believe that—and I know that—the Labor senators are so gullible as to accept that this bill would do anything.

If the bill was going to make one iota of difference to the Great Barrier Reef, to the rainforest, to tropical diseases or to all the other things that Labor senators are mouthing will be saved by the CPRS, perhaps we could accept it, but it will not make one iota of difference to the changing climate of the world. What will make a difference is getting Russia, China, the United States, Indonesia, South Africa, Columbia and Argentina involved. Get them involved, then Australia should play its part. For Australia to play its part before those major competitors do would be to sacrifice Australian working families on the alter of political correctness and the political egos of our Prime Minister and our Minister for Climate Change and Water.

I would ask Labor senators to do the right thing, to be honest about this. I know what you believe deep down in your hearts, but put some courage and backbone into your duties here in the federal parliament and vote with us on this bill. Show Mr Rudd and Senator Wong that you will not be part of the destruction of working families’ jobs in this country. (Time expired)

Senator COONAN (New South Wales) (12.01 pm)—I rise to make a contribution to the debate on the Carbon Pollution Reduction Scheme Bill 2009 and related bills. The complex issues presented in these bills have been comprehensively ventilated. I do not intend to go over the same arguments in exhaustive detail. However, as has been well and truly telegraphed, the coalition will not be voting for the Rudd government’s Carbon Pollution Reduction Scheme in its current form, on the basis that it is both structurally flawed and ultimately ineffectual to transition Australia to a low-carbon economy. I hasten to say that the issue here is not whether the coalition should support a framework to deal with climate change. After all, an emission reduction scheme is coalition policy, which was in fact taken to the election in 2007. So at some point in the future the parliament would have been confronted with a carbon reduction package regardless of whichever party formed government.

Yes, there are differences of opinion in the coalition about what the design should look like, when it should be implemented and how this matter should be handled. But the overwhelming majority of us do understand that science does not always provide definitive answers. This is manifestly so in the case of whether carbon emissions are responsible for climate change. Rather, science tells us about probabilities and, on the science, probabilities favour the view that climate change should not be ignored and requires a carefully calibrated and targeted global response.

A global problem requires united global action and it is illogical to lock in a flawed scheme when we, as an emitter of just 1.4 per cent of global emissions, have limited capacity to contribute to or influence a mean-
ingful outcome apart from the rest of the world. Dealing with the problem requires decisions today that will be right for tomorrow. It requires diligent and honest efforts to get the balance right and to get the right scheme for Australia at the right time. The legislation in front of us does none of this. It is devoid of the regulatory detail that outlines how the scheme will reduce emissions, despite Mr Rudd pronouncing this as ‘the greatest moral challenge of our time’.

While the proposed legislation has been on the table for some months, Minister Wong and Mr Rudd have apparently been unable to produce the regulations for the scheme, so it is impossible to know how this scheme will even work without the formulas, methodology and detail you would expect to see when being asked to vote about a scheme with the far-ranging consequences that these bills portend for Australia. Without these regulations, we have countless unanswered questions about the make-up of the scheme and how it will be implemented. For instance, we have no idea how the treatment of emissions-intensive trade-exposed industries will be determined and laid out.

Senator Wong presented some of the regulations in June, but the majority of them are nowhere to be seen. In fact, it seems they are yet to be decided. As the minister admitted on ABC radio recently, aspects of the emissions trading scheme are still being negotiated with industry—and that is just a couple of days out from the impending Senate vote.

Absent that detail as presented, the Carbon Pollution Reduction Scheme is fundamentally objectionable in terms of the permit system, the churn or recycling of billions of dollars of taxpayer money through the system at the government’s discretion and the impact on Australian jobs, particularly in regional Australia. The sale of permits will see the Rudd government simply collect huge revenue from driving up the cost of energy. The CPRS is the equivalent of hiking the GST from its current rate of 10 per cent to 12½ per cent. This new tax to be foisted on Australia will generate $13 billion in year two, growing rapidly to $20 billion a year by 2020 or thereabouts. No new energy or resource project will succeed without parent companies begging for a quota of free permits from the government in order to be competitive. The 30 to 40 per cent increase in household and workplace electricity bills will result in tens of thousands of businesses facing indirect ongoing costs which many, in the short term, will be able to do absolutely nothing about. It is a tax on industry and on growth.

On top of this, the government plans to recycle the moneys collected by compensating low-income earners for the major increase in electricity costs. A huge bureaucracy will be administered to churn millions of dollars back through the economy, with the government picking winners as to who is to be compensated or not. This is not a very attractive proposition.

The truth of the matter is that, with higher electricity and transportation costs driving up the cost of employment, goods and services, emissions will merely be transported overseas to cheaper locations, making no net difference to the global emissions output. This all comes at a time when no-one, certainly not the coalition or the Rudd government, knows what the global consensus will be at the end of this year in Copenhagen, when world leaders will meet to discuss a united way forward. As many speakers have noted, we heard the UN chief scientist, Yvo de Boer, just last week admitting that Australia does not need an emissions trading scheme before the meeting in Copenhagen and that what matters is countries coming to the table with targets. Very well. The coalition has already offered full support for the targets
that Mr Rudd has proposed to take to Copen-

hagen, but you certainly do not hear
much about that.

The United States’ form of the emissions
trading scheme, contained in the Waxman-

Markey bill, has been approved by the House
of Representatives but is yet to pass the Sen-
ate. Clearly, the United States, responsible
for over 20 per cent of global carbon emis-
sions, will provide a benchmark for de-

veloped world economies as to how they reduce
and treat emissions. Why would Australia,
responsible for around 1.4 per cent of global
emissions, lock in place a scheme risking our
jobs and our economy before knowing how
the US is going to do it?

Whilst we cannot know what the United
States or other developed nations will have
as a final position on carbon emissions, we
do know the disastrous impact the Carbon
Pollution Reduction Scheme, as it stands and
as we are being asked to judge it today, will
have on Australian jobs. Now is not the time
to be introducing legislation that will un-
doubtedly kill Australian jobs, such as is
contemplated in this bill. Fighting off the
effects of the global financial crisis, govern-
ments across the globe have desperately im-
plemented stimulus packages to support jobs,
yet we have seen that, even in Australia,
where the downturn has been less sharp than
expected, unemployment is still forecast to
trend upwards.

In case there is any doubt, there have been
clear and unequivocal warnings from indus-
try as to the likely impact of the Carbon Pol-
lution Reduction Scheme on existing and
future jobs. A $4 billion investment to extend
an aluminium smelter in the Hunter Valley
will be shelved, a move that will see 15,000
construction jobs and 3,000 permanent jobs
gone. These are not just make-work jobs,
like those that we have seen in the stimulus
packages that have been introduced by the
Rudd government; these are real jobs. Rio

Tinto has warned that the CPRS will cost
jobs now, as has the Minerals Council, which
warned that over 66,000 jobs will go. Xstrata
has said that up to 10,000 jobs across Aus-

tralia will go. BlueScope Steel and OneSteel
have said that 12,000 jobs will be under
threat. Ford Australia believes the ETS will
drive Australian jobs overseas. That should
be of some concern to Senator Carr, sitting
here in the chamber.

Even industries working towards a cleaner
environment will be punished under a poorly
thought out and sloppy scheme, showing just
how poorly planned the design of the Carbon
Pollution Reduction Scheme really is. Clean
energy projects such as ZeroGen and Envi-

rogen predict that up to a thousand jobs
could go, should future investment be can-
celled. Visy, the recycling company that em-

ploys thousands of people in regional areas,
has warned that this legislation will disad-

vantage its business because—can I say
rhetorically—guess what? Recycling is not
recognised under the Carbon Pollution Re-
duction Scheme. Visy’s own renewable
steam energy is not counted under the CPRS
emission offsets. It really beggars belief.

Research prepared for the state and terri-
tory governments showed that 126,000 full-
time jobs will be lost or put at risk through-
out Australia under the government’s rushed
and bungled scheme. There will be 45,000
jobs lost in my home state of New South
Wales alone, which brings me to the con-

cerns for regional Australia. The CPRS
would largely ignore the adverse impact on
regional and rural Australia. We used to be
concerned about having two Australias—a
disadvantaged regional Australia and other
people living in very different circumstances
in metropolitan areas. Research commis-
sioned by the New South Wales government
found that regional areas such as Gippsland,
Geelong, central west Queensland, the
Hunter Valley—which I have already mentioned—central Western Australia, the Kimberley and Whyalla would shrink by over 20 per cent under the Carbon Pollution Reduction Scheme. An average dairy farm would face new and annual indirect costs to the tune of $9,000 with absolutely no way to offset the cost. The beef and sugar industries would be hit. The grains industry, a low emitter anyway, would face annual indirect costs of up to half a billion dollars. Under the CPRS, agriculture would be ignored by the Rudd government, even as a source of abatement—of which there are many. In comparison, the US legislation explicitly excludes agriculture from the cap. It also explicitly includes the industry in the opportunities to develop carbon offsets and to use this as a revenue stream for farmers.

You can go on and on about the problems with the scheme. Obviously the coalition believes the Rudd government have gone the wrong way in the way they have designed the scheme. The Rudd government’s Carbon Pollution Reduction Scheme does nothing for the environment and everything, it would seem, to destroy jobs. But, when we boil it down and look at how the debate has moved on over the past few days, what is most disappointing about the government’s approach to their CPRS is the high-handed and arrogant way in which they have refused to consider any alternatives or to even sit down with the coalition to discuss how to make the scheme more efficient and workable.

Just last month the coalition released nine principles that we believe must underpin and inform a considered approach to dealing with any carbon scheme. Without canvassing all of them, at the heart of the opposition’s principles is a united position to protect Australian jobs and industry. Critically, we contend that there must be no less protection for jobs, small business and industry from an Australian scheme than from the one that is finally agreed to in the United States Waxman-Markey bill. In addition, we agree that an Australian scheme should not encourage carbon and production leakage, exporting emissions and jobs. Emissions-intensive trade-exposed industries need to compete on a level playing field with the United States and other advanced economies. As well, agricultural emissions should be excluded and agricultural offsets from biosequestration should be included in the scheme. The Rudd government has complained that these principles are not amendments. How petty is that, when it would be perfectly sensible to discuss these concerns as a precursor to developing complex technical amendments?

There needs to be a discussion to thrash out basic positions to go forward, but this Labor government is not genuinely interested in going forward; it is hell-bent on forcing this flawed scheme to a vote. We have watched the Rudd government in action for almost two years now, and we know that this is a government that is all about seizing a political advantage and not, sadly, about safeguarding the broader national interest. You need only look at its treatment of the renewable energy targets. The coalition supports the renewable energy targets, but the government has chosen to play cynical politics by incorporating them into the Carbon Pollution Reduction Scheme Bill 2009 in a vain attempt to wedge the opposition into passing this deficient legislation. This political opportunism was evident on Monday, when Frontier Economics published the economic modelling on the Rudd government’s Carbon Pollution Reduction Scheme. Mr Combet, the Minister Assisting the Minister for Climate Change, voiced his shrill opposition even as it was being released, and, rather than considering the many findings and recommendations that the research offered,
Senator Wong was out calling the document a 'mongrel' by lunchtime.

The Frontier Economics report shows that the Rudd government’s CPRS will unnecessarily drive up electricity prices, destroy jobs and expand the size of government in Australia. Under the Frontier approach, output, real wages, employment and investment would all be higher in a cleaner, greener, smarter scheme. There may be arguments about the detail, but, should the Rudd government sit down and talk to the coalition and cross-bench senators, Australia could work toward an emissions trading scheme that would potentially be twice as green at a much lower cost to Australians and the broader economy. In fact, the economic costs of the scheme could be reduced by $49 billion over the next 20 years, from $121 billion to $72 billion.

The Frontier approach offers far more bang for one’s buck, and I believe the government should be condemned for failing to even give it the time of day and for continuing to maintain this rhetoric about wanting to see specific amendments. The coalition’s principles and the Frontier Economics findings do warrant discussion and action. To propose that an Australian emissions trading scheme should offer no less protection for jobs, small business and industry than its American counterpart is a totally legitimate proposition when the Rudd government itself has repeatedly said that there is no Australian solution and that there must be a global solution.

As it stands, the Rudd government must understand that the CPRS is currently friendless legislation. So far as I understand it, the Greens are not happy with it; the independent senators, Senator Fielding and Senator Xenophon, are not happy with it; the National Party is not happy with it; the Liberals are not happy with it; Australian business has grave reservations; and the Australian public, I believe, is confused about the impact that this flawed scheme will have on the economy and on their livelihoods. But instead of listening to concerns and heeding the warnings from the numerous groups and individuals who have spoken out against the scheme and its design, the Labor Party arrogantly parades on.

The Rudd government took the advice of the opposition and pushed the emissions trading scheme start date back to 2011. Mr Rudd and Senator Wong should be utilising this valuable extra time to ensure that Australia is in line with global action, to work with the opposition and to ensure that Australia has a quality and workable scheme. That is certainly the motivation and the intention of the coalition in not voting for the scheme the way it stands and the way we are being asked to look at it in the Senate today.

The Rudd Carbon Pollution Reduction Scheme as it stands is not balanced. It offers virtually no benefit to the environment. Indeed, it is a futile piece of legislation because it is not going to have the benefits contended for it. It threatens productivity, Australian competitiveness and Australian jobs. It is our responsibility as a coalition not to vote in favour of such a flawed set of bills.

Senator JOHNSTON (Western Australia) (12.19 pm)—The Carbon Pollution Reduction Scheme Bill 2009 represents for Australia the most significant economic upheaval in generations. The impact is by far more significant than any of the deregulating reforms of the Keating government and has more domestic impact than the GST reform of the Howard government. Indeed, this Carbon Pollution Reduction Scheme and its administrative, reporting and government revenue provisions completely dwarf—in fact, render diminutive—the costs and impacts of the GST and its implementation.
The government has, in pursuit of its climate change nirvana, set up a federal department, namely the Department of Climate Change. This department has cost Australians $2 billion. This department has no justification whatsoever without a world-class, credible and economically sensible cap-and-trade greenhouse gas reduction plan. The whole of the department is built upon the legislation that is currently before the Senate.

In furtherance of these objectives, the government has undertaken a green paper and a white paper and has retained the services of Professor Ross Garnaut, all at some considerable expense to Australians as taxpayers. The responsibility for this complex and very opaque legislation rests upon the shoulders of one person. The responsibility for the department rests upon the shoulders of this one person. That person, of course, is the minister, Senator Wong. Senator Wong also has national responsibility for water. Given the importance of this legislation—I pause to say that it is, as I have indicated, probably the most important legislation that will be before this parliament for this generation—and the value of the government and the taxpayer’s commitment to this plan, one would be entitled to expect that the responsible minister would engage stakeholders in a reasonable, courteous and engaging way, seeking to take those very stakeholders with her on this nationally very important journey.

The exact opposite has occurred. The minister has successfully established herself as the most dismissively arrogant of all ministers, not just in this government but in all state and federal governments. This is quite an amazing achievement and conforms precisely with her performance in the water portfolio. The minister has taken to new heights the alienation of industry, particularly the energy generation industry, the coal mining industry, the aluminium industry, the cement industry, the oil and gas industry and the agricultural industry. This is quite a crowning achievement for this minister.

The minister set about the task of initially disdainfully dismissing calls for a delay in the start date, branding those calling for a delay as sceptics and climate change deniers. She was wrong, and the start date for this legislation had to be put back, as we all have seen. She started out stating that the government would follow Professor Garnaut’s recommendations. She was wrong, and he has transformed to simply being one of a number of inputs. She started out saying there would be a 25 per cent 2020 target. She got it wrong again. Anyone with a concisely put, factual, contrary position is instantly dismissed as some form of heretic by this minister and as someone who is simply playing politics. We see this response, of course, daily at question time.

Broadly speaking it is crystal clear that this minister is not on top of this, the most important of briefs. That is not just my opinion; it is obviously the opinion of the Prime Minister. Why else would he have seconded Minister Combet, then just a mere parliamentary secretary, to hold her hand and provide a civil and courteous face to the implementation of this plan? The minister imparts no confidence in her capacity to deliver what is needed to achieve an effective legislative framework. Here we are today with a most important piece of legislation and she has not a friend in the world. The Greens are opposed to it, the crossbenchers are opposed to it and the opposition is opposed to it. The responsibility for that denial and the ultimate failure that this legislation will meet here and now is entirely due to one person, the minister. She has arrogantly thumbed her nose at everybody and taken nobody with her.

Keith Orchison, a former chief executive of the Electricity Supply Association, said:
It is the government—and especially Wong and her department—that, in the words of stakeholders trying to offer input, has been intransigent and arrogant, notably deaf to attempts to point out some of the biggest problem areas.

May I, Madam Deputy President, say this again: she has been intransigent and arrogant, notably deaf to attempts to point out some of the biggest problem areas. Even ALP wordsmith Bob Ellis has said of the minister that she is ‘an Orwellian figure of comprehensive secrecy’. She has said to the National Press Club:

The Liberal Party can do this the easy way, or the hard way.

The only thing missing is the baseball bat accompanying that expression. This is not the politics, the ethics or the decorum of a minister entrusted with such an important responsibility. She has failed her party, the government and the parliament. That this important piece of legislation is the hotchpotch it is with not a feather to fly with and not a friend in the world is her responsibility, and she stands condemned for the failure that is about to befall that piece of important legislation. The minister is truly the only person playing politics with this legislation in this parliament, in this chamber.

The coupling of the RET with this legislation is just another example of this minister’s fixation on the politics instead of the national interest. The failure of this legislation is at her feet and she needs to go to her Prime Minister and apologise for its demise. And what of the minister’s scheme? The New South Wales Labor Treasurer Eric Roolendaal has written to the federal Treasurer setting out his ‘important concerns’ as to the minister’s legislative plan for the proposed emissions trading scheme in driving away investors in the electricity generation industry, damaging the value of coal-fired assets and posing significant regulatory risks. I pause to point out that the states have exclusive jurisdiction over the generation of electricity in our country and are in a position to know about investment and regulatory risks. Indeed, the New South Wales government has used the services, I pause to acknowledge, of Frontier Economics to assess the pain of Minister Wong’s scheme.

So it is that Premier Bligh has registered her concern as to the ongoing competitiveness of the Queensland coal industry. So it is that Mr Brad Page of the Electricity Supply Association says that the $3.5 billion in free permits is inadequate in the face of government modelling showing asset value losses of at least $10 billion. Of course the obvious follows, as Mr Page notes in the Australian:

What happens is that you inject enormous sovereign risk and undermine the confidence of debt and equity providers—the very people you want to invest in the low emissions future.

The minister has achieved the precise opposite of the objectives of this legislation. It is truly an amazing feat. Even Treasury officials have said that its modelling ‘doesn’t capture all the transitional elements’. What this classic piece of Canberra-speak really means is that Treasury does not know how many jobs will be lost as victims of this, the minister’s scheme. It should be noted that the livelihoods of Australians are reduced in the ice-cold reference of these Treasury bureaucrats to ‘transitional elements’. What a disgrace.

This government and particularly this minister simply take no prisoners. So what of the mining industry—the industry upon which all of this Canberra bureaucratic Disneyland is built and, more importantly, paid for? It is the mining industry of Queensland, New South Wales, South Australia and Western Australia that pays for this nirvana here in Canberra. Mitch Hooke, the Chief Executive of the Minerals Council has said that this scheme will shed 23,510 jobs in the minerals
sector by 2020—mostly in my home state of Western Australia and in the state of Queensland—and more than 66,000 jobs by 2030.

He said back in March:

We would much prefer that you adopt the same kind of approach that every other country in the world is adopting, that are introducing emissions trading scheme and that is a phased approach to full auctioning. That way you avoid the unseemly scramble over who’s in and who’s out and who’s carved out and who has and who hasn’t.

Ralph Hillman from the Australian Coal Association said:

Yes, people were very frank and saying the sort of things that I’m saying to you now, that the introduction of an emissions trading scheme posed major issues for the competitiveness of many Australian industries.

Woodside CEO Don Voelte said of the minister’s scheme:

It puts in jeopardy the industry’s LNG plans in Australia, depending again, let me say ... how the final outcome of this legislation comes out.

I pause to say that he was quite optimistic about some changes—a forlorn hope.

I want to quickly add that Woodside is all for an emissions trading system, but it has to be very carefully implemented to not make us uncompetitive, ’cause Australia’s going alone.

Frank Jotzo, an economist with the ANU, said:

And in a world that efficiently reduce carbon all over the world, you would actually see aluminium smelting going to those locations where you can use hydro electricity or perhaps gas right. You wouldn’t see aluminium smelting remaining in locations where it relies on coal.

The coal industry is our biggest export. To reduce the people working in the coal industry and their livelihoods and jobs to, in the words of Treasury officials, ’transitional elements’ is, as I have said—and I repeat—a disgrace. The work, the employment, the livelihood, the bread and butter on the tables of these people should never, ever be reduced to the expression ’transitional elements’. These are jobs; these are people. The minister has ignored all of that.

Ralph Hillman of the Australian Coal Association says:

Eighty per cent of Australia’s black coal is exported and we are competing with countries that are unlikely to take on targets for the next say 15 years. Our competitors are South Africa, Indonesia, Mongolia, Mozambique, Columbia, a range of countries like that that are not going to be taking on targets.

So we will be taking on a cost impost to the coal industry not borne by our competitors. That means that we become a less attractive place to mine coal and that means fewer jobs in coal mining in Australia.

Mitch Hooke, as I said, the CEO of the Minerals Council, says:

The big risk will be carbon leakage, in other words we will encourage investment offshore or activities business offshore to regions or countries where they don’t have the disciplines that we’re trying to invoke here in Australia and that we’re trying to get the rest of the world to follow our lead.

So here we have it: a government hell-bent on pushing ahead, hell-bent on proceeding with a scheme that does not have a friend in the world. Why would the minister not sit down with people who have taken the time and trouble to look at what is important and to look at the mitigation of the effects—to try to preserve the employment in this industry yet move to a cleaner, greener, cheaper outcome? Why would the minister simply say, within minutes of seeing the opposition’s proposal, ‘It’s a mongrel.’? The reason is that it fits perfectly with her conduct to that point: disdainfully rejecting every informed input, every complaint, in the most high-handed and arrogant of ways. I repeat: this very, very important piece of legislation, this important reform for Australia, will fail and the responsibility for that failure lies entirely
with this minister, who herself has failed. She has failed her party, the government and this parliament in the way she has handled and brought forward this legislation.

Senator MARK BISHOP (Western Australia) (12.35 pm)—Rarely in the parliament are we confronted as elected representatives by issues of such huge moment as contained in the Carbon Pollution Reduction Scheme Bill 2009 and related bills. Mostly, the matters which routinely come before us for consideration and approval are mechanical by nature. Alternatively, they deal with refinements to existing legislative regimes. They are important in a domestic sense for the operation of government on a relatively apolitical agenda—mostly—effecting changes to policies and programs in a short-term sense. They are not what anyone would call momentous in their long-term implications. Nor are they global in their implications. Nor are they derived from millennia of change upon the planet, affecting the future so dramatically. Yet of course we debate them energetically, often depending on the extent to which political advantage is perceived or seen—sometimes according to a particular philosophical position, whether that be opportunistic, vague or ill considered. Indeed, we are obliged to vote on the relative merits of legislation according to our political positions, which we freely adopt and carry out.

In most cases, the legislation passes through, rarely ever to be repealed in full. When it is repealed, it is always in response to public outcry, as reflected at the ballot box. A recent experience is the opposition’s Work Choices regime. That, of course, represents a healthy democracy at work. The extent to which this process is easy or difficult depends on the degree to which the matter is considered to be of real substance, on the research and evidentiary analysis which precedes it, and on the level of understanding in the community about both its intent and its effect. The poorer this process the greater the controversy. However, as we will see and are seeing in this case, there is no real limit, it seems, to political opportunism of the most venal kind.

So it is with this legislation. There can be no doubt that around the world and in Australia there is a very, very strong perception that the climate we live in is changing, albeit in the very short term of one generation only. Consequently, both major political parties have drawn the link between carbon emissions and the environment. Both have given an undertaking to do something about it by way of using a carbon trading scheme as a brake, not just to slow the growth but to reduce the level of those emissions. Around that there has developed a controversial and mostly healthy debate about causal link and the science behind it, with a whole lot of claims by way of doom and gloom about the consequences either way. We are damned if we do and damned if we don’t.

I think it is worthwhile trying to put this debate into some form of context. I do not pretend to be able to resolve the conflict concerning the science around the link between alleged global warming and carbon emissions. With issues such as this, there are still many questions to be answered, including some that have not yet been asked. This legislation, as I said, is global in its implications. It is derived from a millennium of change upon the planet. It is not derived from any short-term policy surrounded by domestic political politics or vested interests. People naturally evidenced the extended drought, violent storms and the disruption of agricultural production. It is affecting rural economies and food production.

We all know that the environment of planet Earth has been suffering in many ways now for probably a thousand or thousands of years. Let me cite some of the more
well known and graphic examples. The spread of deserts in Africa and the Middle East has continued unabated for thousands of years—in fact, it is now accelerating. Potable water is becoming more difficult to secure, threatening the human species and all other living organisms. Many rivers have ceased running and many others have become so polluted as to be hazardous to human life. Forests are being removed at an alarming rate, reducing biodiversity and causing extensive salination problems, not just by direct human activity but by the pollution of acid rain. Ocean resources have been depleted by overexploitation and by land-based pollution. Large areas of land have been lost to food production due to poor management practices over many centuries and through simple and continuing overexploitation. There has been the disappearance of countless species of animal and plant life and the increased risk to human life of toxic waste in soil, water and the atmosphere. This, of course, is not an exhaustive list, but its cumulative effect is now quite clear to all those who want to see it; although I perceive the debate, apart from the subject of climate change, has lost much of its intensity in Australia.

But that is not to say that those massive problems I identified are not being addressed. In the developed world, they have been attended to with remedial action, often with outstanding success. In the three key areas of water, air and soil quality, much has been done, including in Australia. Air pollution, for example—which has a continuing focus in this legislation—has been a problem since the industrial revolution. Relatively speaking, however, in some Western economies it has been ameliorated by regulatory means. Water quality, not quantity, has also been addressed. We are all aware of the return of marine life to many rivers and harbours around the world. The Thames in England and Sydney Harbour are very obvious examples.

In Australia we pride ourselves on the dramatic improvement in land-use management, particularly by our farmers. Most interestingly, these land-use changes have come about through education. Unless we sustain our soil, production will decline. To that extent, programs such as Landcare are invaluable and deserve significantly more support. We need to realise that the future of productive capacity of the environment and the future health of our society are dependent upon the increasing care of each of these three basic elements: air, water and soil. This is very important in the context in which I speak because too often in debates such as this we lose sight of the real issues. We become blinded by vested interests and short-term impacts which, indeed, are threatening for some. We understand that, as with many other reforms of the past, there will be some painful adjustments as we go through the process.

If we accept that reform is necessary—and there is at least some consensus on that—the real question becomes: how should that reform be managed? Perhaps the best example of such reform has been the control of the production, distribution and disposal of hazardous chemicals. For many the prime concern, as I recall it, was the growing hole in the ozone layer and the implications then of global warming. I mention this example specifically because amongst those chemicals are greenhouse gases. Greenhouse gases are targeted by this legislation as carbon equivalents, remembering that, while they only form one per cent of the carbon emission equation, their effect on the atmosphere is said to be 1,000-fold.

But, as we have seen, regulation to date has been patchy and ad hoc. We are all familiar with the changes made to refrigeration...
gases and the disposal of used products containing heavy metals, chlorofluorocarbons and polyvinyl chloride, otherwise known as PVC. We are getting better with our practice of disposal of batteries, computers and mobile phones. We have long banned chemicals such as DDT and restricted others which have terrible effects on mankind, like 2,4-D and 2,4,5-T, not to mention, of course, nuclear waste. This regulation is now part of our daily life and we accept the need for it.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Carol Brown)—Order! It being 12.45 pm, I call on matters of public interest.

Parliamentarians’ Entitlements

Senator LUDWIG (Queensland—Special Minister of State and Cabinet Secretary) (12.45 pm)—In the interests of transparency and accountability, I want to take this opportunity to make a short statement on an issue that has received media attention this morning in several newspapers concerning the audit by the Australian National Audit Office into the administration of parliamentarians’ entitlements by the Department of Finance and Deregulation.

As this audit is still in progress it is inappropriate for me to comment on either the conduct or content of the audit at this time. That said, it is a matter of public record that the ANAO is currently conducting an audit into the administration of parliamentarians’ entitlements by the Department of Finance and Deregulation.

As this audit is still in progress it is inappropriate for me to comment on either the conduct or content of the audit at this time. That said, it is a matter of public record that the ANAO is currently conducting an audit into the administration of parliamentarians’ entitlements by the Department of Finance and Deregulation.

The ANAO. The most recent reports by the ANAO into parliamentarians’ entitlements were the Audit report No.5 2001-02: Parliamentarians’ entitlements: 1999-2000, and the Audit report No.15 2003-04: Administration of staff employed under the Members of Parliament (Staff) Act 1984.

Turning to the parliamentary entitlements framework, I have a few comments. Firstly, it is universally agreed by both parliamentarians and the officials that administer the framework that it is overly complex, based as it is on a mixture of primary legislation, regulations, Remuneration Tribunal determinations, procedural rules, circulars, guidelines, executive decisions and conventions. Secondly, this complexity creates a range of difficulties for both parliamentarians and officials in accessing and administering entitlements, respectively. This was recognised by the ANAO in Audit report No.5 2001-02. These recommendations were not acted upon by the former government, with the consequence that there are a range of legacy issues that are relevant. Thirdly, it is this complexity which has given rise to the reliance by parliamentarians on conventions. The detailed guide provided by the then Special Minister of State in 2003 to the then opposition on the permitted use of entitlements was contained in a document headed ‘Guidance on use of entitlements’. I understand this guidance informed decisions on printing by parliamentarians on both sides of the parliament.

Since the election, the Rudd Labor government has made a number of important reforms in this area, and I pay tribute to the role of my predecessor, Senator Faulkner, in this regard. I want to turn to those reforms. Upon election, the Prime Minister replaced the often disregarded and widely discredited Howard Liberal government’s ministerial code of conduct, with a new, stricter code. In addition, for the first time a code of conduct...
was developed for ministerial staff. I might add that since the election the number of ministerial staff has been reduced by 20 per cent on an ongoing basis. To ensure transparency in relation to the employment of all staff employed by parliamentarians, regardless of whether they are ministerial, backbench, opposition or minor party, last year the Rudd government also established and published the first annual report of staff employed under the Members of Parliament (Staff) Act 1984. I anticipate the 2009 and second annual report in a few months.

Transparency on the use of travel entitlements has also been extended to parliamentarians, former parliamentarians, their spouses and family members. Only last month I released the first travel report to include details of frequent flyer points accrued and for the first time this report and individual MPs’ study travel reports have been published on the internet. The printing entitlement has been cut by one-third, slashing the entitlement by $50,000 for every MP and $3,333 for every senator. Most recently, the entitlement of parliamentarians to a telecard, the use of which under the previous government was the subject of some infamy, was abolished after successful representation by the government to the Remuneration Tribunal.

While these reforms are specific to parliamentarians, there are a number of other reforms either already implemented or being pursued by this government that will ensure a higher standard of behaviour and integrity. These include, first, the reform of political donations. In a bill currently before the Senate, the Rudd Labor government has proposed reform of election donations to ensure all political donations above $1,000 must be declared. This reverses the Liberal government’s decision to provide secrecy for donations up to $11,200. In addition, it is banning foreign and anonymous donations and removing loopholes that allow the same political party to be treated as a number of different entities to avoid disclosure laws. And, lastly, it is increasing transparency by making political parties report donations six-monthly rather than annually.

Second, there is further reform of electoral laws through a public green paper process, with the second to be released later this year, to ensure all citizens can participate in electoral reform. Third, there is reform of freedom of information laws and an effort to change the culture of secrecy that had built up under the last government into a pro-disclosure culture of transparency. I anticipate that the final legislation will be introduced as soon as possible and certainly well before the end of the year.

Fourth, the government is currently considering the report by Mr Dreyfus QC MP and will bring forward legislation to reform whistleblower protection, in accordance with our election commitment, during the life of this parliament. Fifth, there is reform of government advertising with published guidelines to ensure each publicly funded campaign over $250,000 is objective, factual and non-partisan. We have also significantly reduced expenditure on government advertising down from the record levels achieved by the previous Howard Liberal government.

Sixth, there is reform of the government’s procurement process to ensure greater transparency and accountability, including the announcement only days ago by my counterpart the Minister for Finance and Deregulation of the creation of the procurement coordinator to ensure greater consistency around the procurement framework and a better complaints-handling mechanism. Seventh, there is reform of agency reporting and accountability arrangements through Operation Sunlight to ensure greater budget and spending transparency and integrity. Eighth, there
is reform of the government grants process, with new guidelines to stop the kind of reckless waste that occurred under the Liberal and National parties' rural and regional rorts program.

This government is not complacent under the leadership of the Prime Minister. We are all aware of the need for ongoing reform. This government has demonstrated since its election its commitment to evidence based policy reform. I can assure the Senate that no area, including the area of parliamentary entitlements, is beyond the reach of reform. A package of reforms is currently under consideration by the government, the details of which will be released in due course. Beyond that, and as I stated earlier, it is inappropriate for me as the Special Minister of State—or, for that matter, for any parliamentarian—to comment further whilst the audit is in progress. With those remarks I conclude simply by reiterating the Rudd government's strong record of reform to promote ethical and transparent behaviour by our public officials that is publicly accountable. I contrast this strong record with the practice of the previous government. Finally, I reiterate our commitment to continuing reform to ensure that we maintain the trust and confidence of the Australian people.

Senator RONALDSON (Victoria) (12.54 pm)—I will start where the minister finished and it is a pity that he did not actually finish where I am going to finish. I have never seen a greater example of a government trying to defend itself and, in relation to this matter that ostensibly is the reason for the discussion, I am not entirely sure why they would be seeking to do so. This is a government that in a very short period of time preaches transparency and practises very little. I do not know why the minister would come in here today and, while talking about a serious matter such as this ANAO inquiry, try a cheap shot. That gives me the opportunity to reply, which I am not going to take up because, quite frankly, I cannot be bothered to talk about some of the extraordinary lack of transparency over the activity going on in relation to just one matter. Julia Gillard's so-called education revolution and the complete and utter farce in relation to the provision of facilities in schools. I am not going to buy into that. But I will buy into one other thing though. Why the minister keeps banging on about a disclosure bill when the minister is not prepared to address the campaign finance reform issue is, quite frankly, beyond me and I will again put on record that the coalition is completely and utterly committed to comprehensive campaign finance reform.

I want to get back to the matter that the minister should have stuck with when he sought time in the chamber today—when he actually took away from his own colleagues time for a matter of public interest debate—and that is in relation to this inquiry by the ANAO. I do agree with the minister on one matter—that, given that this matter is an audit in confidence, we have got to be extremely careful about what discussions we have. But what I will say is that we have a system whereby there is a wide possible range of interpretations that can be placed on the ordinary words of a given entitlement. Indeed, if you go back to the early eighties, to the discussions in Senate estimates committees, you see that lack of clarity of interpretation has been the real issue. The complicating factor with all this is that the executive actually lacks the constitutional authority to make authoritative pronouncements on the legal meaning of terms in an act or a regulation. That is the exclusive preserve of the courts.

In gratuitously, and I think regrettably, making some sort of attempt to have a whack at what was done during the last government, the minister fails, quite frankly, to acknowledge that indeed we as members and senators
were required to put in place a set of principles to address this lack of clarity. There has never been any endeavour elsewhere by the ANAO, the Remuneration Tribunal or others to provide this clarity, which ultimately is the domain of the courts. From discussions involving Australian Democrats, Liberal Party of Australia and Australian Labor Party members and senators, we were required in effect to actually put in place a set of rules by which we could at least have some self-regulation in the absence of any definitive interpretation of what various words meant.

I am very supportive of the role of the ANAO. If they are able to provide the department of finance with definitive advice in relation to interpretations, then no-one would be more grateful than I and, I suspect, my colleagues. But I repeat that there are conventions in place that have determined the outcome of interpretations as to the printing allowance. I welcome ANAO involvement, if they are able to provide greater definitions. The fact is that we—and I mean ‘we’ collectively—were required in 2003 to at least put in place some principles that parties, members and senators knew applied. Those have been standing since 2003 and people have been operating on the back of that. If there is going to be more guidance in relation to that, then I think the group of people who would welcome it most are, quite frankly, the people who are required to operate under that loose set of guidelines.

I welcome this. I should publicly acknowledge, which I am happy to do, that I received a similar letter from the ANAO. I put on the public record that, on the basis of convention, legislation and previous determinations, I believe that was within entitlement. But, if there is going to be some further clarity of that, I think the people in both this chamber and in the other place would be extremely grateful.

Senator Bob Brown—Mr Acting Deputy President, I rise on a point of order. The point of order is that I want to speak for just a couple of minutes on the matter before the chamber. I think that would be a better process, to get that over and done with, before we go on to other matters of public interest. I seek leave to do so.

Leave not granted.

Human Rights

Senator PAYNE (New South Wales) (1.00 pm)—I rise to speak in the matters of public interest debate, scheduled in the red and the Notice Paper today. I note that we have visiting our parliament today Dr Ines Alberdi, Executive Director of UNIFEM, who is currently briefing the Australia-United Nations parliamentary group on the launch of UNIFEM’s Progress of the world’s women report for 2008. Although I was only able to hear a few moments of her briefing, it is certainly again compelling evidence of the stark reality of the lives that many women in the world face—which many women in Australia can perhaps not hope to understand, given the challenges.

I want to speak about some specific human rights issues in our region. I start by noting that, since the signing of the UN Universal Declaration of Human Rights in 1948, the campaign for human rights across the world has in fact made huge advances. The recognition and protection of fundamental human rights have become international norms and they are no less valued for the fact that they are frequently dishonoured. Our basic human rights—the right to life, liberty and security of person; freedom from torture or cruel, inhuman and degrading treatment or punishment; recognition before the law; freedom from arbitrary arrest, detention or exile; the right to equality and a fair trial; the right to freedom of opinion and freedom of religion; the right to education—are all
building blocks of any just and peaceful society. However, in many countries in our region and beyond, these rights are often honoured more in breach than in observation. In the Asia-Pacific region, human rights remain fundamentally vulnerable. Australia, with other like-minded countries, must redouble our efforts to ensure the protection of basic human rights everywhere and for every person, without distinction of any kind, as the UN declaration says.

I want to focus today on several specific situations in our region where human rights remain, at best, fragile. Let me begin by making reference to Burma, where human rights are under constant and serious threat. After the military junta in Burma violently suppressed peaceful democracy protests in August and September 2007, the number of political prisoners in that country more than doubled. That left over 2,000 people in prison for simply expressing their political views. Since late November 2008, the situation for many of those political prisoners has declined. Sentences for government critics have been handed down in trials that were neither transparent nor fair. At least 210 of those individuals have been transferred to remote prisons, away from the capital and away from their families. For political prisoners and minority groups in Burma, torture is a common experience. Indeed, Amnesty International has said that torture has ‘become an institution’ in Burma. Amnesty, Human Rights Watch and the UN have repeatedly provided reports of terrible abuse, including the extremes of murder, torture, rape, detention without trial, massive forced relocations and forced labour. Freedom of association, freedom of expression, freedom of religion are all denied by Burma’s military rulers.

There is little prospect for improvement in the foreseeable future. Elections promised by the Burmese junta are unlikely to be either free or fair. Instead, one imagines the elections will be used as an attempt by the regime to strengthen its grip on the levers of power in Burma and to try and legitimise the last 20 years of undemocratic rule. However, nowhere is the regime’s contempt for free and fair elections and democratic rule more evident than in the fate of Burma’s most prominent political prisoner, Aung San Suu Kyi. As the rightful winner of Burma’s last democratic elections in 1990, which the military refused to recognise, Suu Kyi has been in detention for much of the time since—indeed, for 14 of the last 20 years.

In May this year, a few months before Suu Kyi’s current term of house arrest was due to conclude, an American well-wisher swam to her house—which is, I note, guarded by members of the Burmese military. The swimmer was, curiously, allowed to enter the location. With the 2010 elections not far away, the Burmese junta used this event to arrest Suu Kyi for violation of the terms of her house arrest, notwithstanding the fact that the law under which Suu Kyi has been charged is part of a constitution which was abolished 25 years ago. Popular support for Aung San Suu Kyi is so strong that Burma’s rulers delayed the verdict on these charges for over two months for fear of a backlash.

This week, however, the regime announced its decision to sentence Suu Kyi to three years jail with hard labour, commuted to 18 months house arrest. This is a contemptible decision. It is an outrage and a disgrace and it is a transparent attempt by the regime to ensure Suu Kyi will not upset their private election plans. For Aung San Suu Kyi and the people of Burma there is little reason to believe the promised elections will in any way resemble democracy. The one certainty is that the Burmese regime has acted and will continue to act only in the interests of its own perverse self-preservation and with bla-
tant disregard for human rights, due process and democracy.

Australia can and should do more to help in Burma. I acknowledge that the Minister for Foreign Affairs has called for the immediate and unconditional release of Aung San Suu Kyi and all other political prisoners in Burma, but there is much more that Australia can usefully do. We can work further with the international community to condemn the actions taken against Suu Kyi. In particular, we can use our influence with ASEAN member countries and all nations with closer relations to Burma to pressure the military junta to release Suu Kyi and other political prisoners. There have been recent news reports that Burma is pursuing a nuclear weapons capability. The government could also join in the international campaign to support a global arms embargo against Burma. Australia cannot remain complacent in the face of such egregious human rights abuses as those taking place in Burma today.

Burma, sadly, is not an isolated case. Where there is war and conflict, human rights will always suffer. In our broad region this was recently made evident in the fighting in Pakistan’s Swat Valley and other areas of the country’s north-west. The Swat Valley area is known as the ‘Switzerland of Pakistan’ as it is renowned for its natural beauty. In the past it has thrived as a tourist destination. Today, it is devastated by war. In the last year a resurgent Taliban took control of the area, and the impact on the population was swift and severe. By April this year the Taliban had imposed its arbitrary and brutal form of sharia law on the area. For minor infractions, cruel and inhumane punishments were not uncommon, including beheadings. Militants targeted government-run schools and ensured they were closed. They set up Taliban training camps inside these schools and captured young boys and forced them to train for jihad. Popular resistance to the Tali-
all stripes are measured by the people they purport to protect.

Wherever conflicts occur, Australia must always remain alert to the protection of innocent civilians and never accept the derogation of basic human rights in war or at any other time. In the Swat Valley, for example, we in Australia can provide desperately needed support to the population as it struggles to return and recover from the fighting—indeed, the world has an obligation to do so. We can donate to organisations assisting with the recovery and I acknowledge the government’s contribution in that regard. But the United Nations is still seeking international aid support. This is a continuing crisis and one of which we should remain cognisant.

I want to speak briefly on an example that is closer to home but equally disturbing. In Fiji, since the rise to power of Commodore Frank Bainimarama in December 2006, human rights conditions have gradually worsened. Human Rights Watch reported recently that, since 2007, dozens of people have been arbitrarily detained, sexually and otherwise assaulted, intimidated, beaten or otherwise subjected to degrading treatment. The record of brutality by the Fijian police against suspects, prison escapees and convicted criminals is growing. Since the interim government abrogated the constitution in April this year, the administration has limited the independence of the judiciary. They have removed all judicial officers from office, reconstituting courts and commissions. They have intervened in the licensing of lawyers and have legislated to prohibit legal challenges of their own acts. Freedoms of expression, of association and of assembly have all been curtailed. The media are heavily censored and, along with lawyers and human rights and political activists, are subject to harassment and arbitrary detention.

Human rights conditions in Fiji by all reports are deteriorating by the day. The Pacific Islands Forum held recently in Cairns seemed to me to have been a timely opportunity for Australia and other countries of the Pacific to take a stronger stance and to take an opportunity to put more pressure—real pressure—on Fiji. It was an opportunity to ask the forum members to make a united call for Fiji’s constitution to be reinstated and for guarantees of judicial independence or a return to democracy. Instead, they left it at expressing strong condemnation and deploring the detention of church leaders, for example. Those looking for stronger leadership from the forum on this matter were and are rightly disappointed that that opportunity was missed.

The political and human rights challenges in Burma, in Pakistan and in Fiji are very different. For the victims, though—victims of violence, assault, political imprisonment and so on—in each of those nations, basic human rights are at risk. Each of those examples and circumstances can only be addressed through concerted domestic and international action and that is something of which Australia must be a part. In every corner of the world, there will be people who continue to seek to flout or subvert human rights for their own purposes. It is only through eternal vigilance that we can ensure that they do not succeed. We have to remember, though, why we struggle for the freedoms that we enjoy in Australia. The most apposite observation comes from the UN declaration of human rights. It reads:

... recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Anti-Corruption Commission

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (1.16

CHAMBER
I am responding to the statement Senator Ludwig made a little earlier this hour. The Greens have called for the establishment of a national anti-corruption and integrity commission because we believe that the nation ought to have a watchdog over and an advice bureau on the democratic process. The Auditor-General is currently doing an assessment of certain components of spending by members of parliament. We will watch that carefully and of course take note of the outcome. I hope that we get from the Auditor-General not just an assessment but recommendations.

It is my experience that it is very often difficult to get information on whether a matter of spending is acceptable or not. We need an advice bureau for members of parliament so that good people in the parliament are not left nervous wrecks because of anxiety due to them not being sure whether they should have hired the car on the weekend to go to an electoral function and whether they can claim it. There is an endless amount of interplay with the public, the media, business and community groups. It is very complex and you can have a huge amount of staff time taken up with this and the anxiety is theirs as well. We need an advice bureau, and we do not have it. There is a booklet. It is very blunt. It does not cover all cases. Politicians deserve to have that advice. If we indeed had an arbiter who we could call and ask, ‘Should I claim this or shouldn’t I?’ and they said, ‘No, you can’t,’ then we would not. Something like that would have cut off at the pass the terrible experiences of politicians in the United Kingdom recently, who were found to have been serially pushing the envelope. This would be a very worthwhile thing.

We would like to see a national anti-corruption commission set up along the lines of the Independent Commission Against Corruption in New South Wales but extended to include an integrity commission which can give advice to members of parliament, to people in the bureaucracy and to people in the police and other forces that give us security in this country. It is a two-way street.

I might add—and I will say this again; the Greens have been advocating this now for years—that we ought to be adopting the Canadian system adopted in the 1990s following a series of corruption scandals in Canada. It is a system that works well, and it is public funding of political parties and the political process and the removal of largesse from the political arena so that there is no funding from unions or corporations and a cap of $1,000 per annum in donations from individuals to political parties. That is much safer and saner and has far greater probity than the system which allows for political donations. This has been a matter of discussion in the public arena.

Finally, we also need to keep an eye on the fourth estate. I do not know how much members of the media establishment—senior scribes, management or owners—get. I do not know how they are lobbied. I do not know what decisions they make and on what basis. That is a matter that is going to come under increasing scrutiny in the times ahead. It is extremely important that the public be reassured that the information they are getting is not only fair and true but well informed and is not serving a sectional interest against the wider public interest. That is a very difficult and thorny area to be going into, but if we believe in a free, open and transparent democracy, that is an area that needs also to be part of any ongoing assessment so it can be improved if improvement is indeed required.

Parliamentary Delegation to Dharamsala

Senator HANSON-YOUNG (South Australia) (1.21 pm)—I want to take the opportunity today to reflect on a parliamentary delegation that I participated in over the win-
ter recess. It was the first delegation of parliamentarians to visit Dharamsala, the home of the Tibet parliament in exile. While I acknowledge that it was not an official parliamentary delegation, it was a delegation of parliamentarians who wanted to see for themselves and hear directly from the Tibetan parliament in exile about the struggles that they face daily and the political issues involved in giving Tibetans the freedom and access to human rights that they should have.

The delegation was made up of the Parliamentary Friends of Tibet and was hosted by the Tibet Information Office. Our visit coincided with His Holiness the Dalai Lama’s 74th birthday, and it was very special to be invited to that. Our cross-party delegation included me, my colleagues Senator Scott Ludlam and Senator Nick Xenophon, and friends from the other place—Melissa Parke, Michael Danby and Peter Slipper.

We were accompanied by members of the Australia Tibet Council and were kind enough to be our tour guides. We all learnt a lot about the day-to-day issues and the political struggles faced by Tibetans, both in Tibet and living in exile around the world. Dharamsala has played host to His Holiness the Dalai Lama, his supporters and the Tibetan community in exile since 1959. The community since then has flourished. They have built schools, cultural centres and have even established their own parliament, despite not being acknowledged by the United Nations.

We met members of the parliament, the Speaker and the Deputy Speaker, who were wonderful hosts while we were in Dharamsala. We met the Prime Minister; high-level lamas; representatives of NGOs, youth organisations, and human rights associations; and of course His Holiness the Dalai Lama himself. We met with political prisoners—people who had experienced torture and trauma simply because of who they are, their background, their culture and their beliefs; people who had escaped, particularly since the crackdown in March 2008. We heard stories of torture, of struggles, and of parents trying to give their children the freedom they deserve. During an hour-and-a-half audience with His Holiness we heard how important it is for him and his people that we, as Australians and as members of the Australian parliament who represent of one of the oldest democracies in the world, stand strong for democracy, for human rights and for justice.

One of my favourite parts of this visit was when we went to the Tibetan Children’s Village, which comprises a babies’ nursery for orphaned children, and a primary school and high school for Tibetan students. Most of these children were orphaned; most of these children had fled Tibet in exile, often on their own, their parents believing that the best future for them was to be smuggled out of Tibet, across Nepal and the Himalayas and into Dharamsala to be in the care and safety of His Holiness the Dalai Lama. I held a seven-month-old baby who had been orphaned since she was four months old. The Tibetan Children’s Village was one of the happiest places that we visited because it was seen to be the future of this amazing community. It was also one of the saddest because these children had been orphaned for no fault of their own but simply due to conflict, torture and the oppression of a group of people who have a strong history and culture, and who have been oppressed simply for who they are.

Many of the young people we met in Dharamsala, who have taken up positions within the community, had been through the children’s village. The Speaker of the Tibetan parliament and the assistant to the Speaker had been through the children’s village. The convenor of the Tibetan Youth Congress, who had been orphaned, was educated, cared for and had grown up in the children’s village. It was, in itself, an amazing example of
how His Holiness the Dalai Lama, in the face of atrocities, in the face of oppression, in the face of being silenced not just by the Chinese government but by governments around the world, had stood strong and knew 50 years ago that the best way of preserving his community’s culture, the best way of giving the next generation a chance, was to build institutions of learning, cultural development and exchange. We saw that in the children’s village, and we saw that in other places such as the performing arts centre. Through the wisdom of His Holiness the Dalai Lama and his supporters, in 1959 when the Indian government graciously gave them Dharamsala as a place in exile, this became the opportunity they needed in order to invest and preserve their culture and their community, and it has been done extremely well.

Some of the saddest things in the Tibetan Children’s Village and in the reception centre for new arrivals—Tibetan refugees—were the pictures drawn by children who had witnessed and experienced torture, shootings and abuse. These pictures were some of the most haunting images that I have taken away from my experience in Dharamsala—pictures drawn by four-year-olds, seven-year-olds, 12-year-olds and 14-year-olds of experiences that, as a parent, we would not want our children to see. It is very easy in Australia, and as Australian parliamentarians, to be in a safe, free, thriving democracy, but we have a responsibility to stand for those who are not so lucky.

The experience of all of us in this delegation meant that we all have a responsibility to come back to Australia as Australian parliamentarians, as members of our community, to stand strong with the Tibetans and to stand strong with other cultures and communities that are being oppressed and tortured by the Chinese government. We must do everything we can as Australian parliamentarians, as representatives of a country which is, as I said, one of the oldest democracies. We have the freedom to stand and speak and to ensure that this is a discussion about human rights and justice, not a discussion about being anti Chinese. We have a responsibility to stand and promote the protection of all people, young and old, Tibetan and non Tibetan, Chinese, Uygur, Australian or Fijian. We have a responsibility as Australian parliamentarians to talk about these things, to witness and to visit.

I was honoured to be invited to be on this delegation and to speak directly with His Holiness the Dalai Lama, with members of the Tibetan parliament-in-exile and with individual members of the Tibetan community, as well as with Indian parliamentarians who have accepted that their role in this is to play the gracious host to the Tibetan parliament and community in exile. I believe the next step for Australians and for our Australian government, for our Prime Minister and even for this chamber is to offer a hand of graciousness to His Holiness the Dalai Lama and invite him to visit our chamber of parliament—a parliament of one of the oldest democracies in the world, standing tall, preserving not just our right to stand and speak freely but acknowledging that we will fight and support the right of others to do the same in their homelands and in exile.

I would like the young Tibetans who I met—whether they were born in exile or orphaned because they escaped Tibet—to be able to go home one day, understand where they came from and feel connected to their heritage and culture, just as I would if my own daughter had experienced such atrocities. It is time for our government, for our Prime Minister, for our parliament to open the doors to His Holiness the Dalai Lama and say, ‘Yes, we can stand with you.’ This is about justice and human rights; it is not just about politics. This is about doing what is right and using the opportunities that we
have. Here in Australia we have an amazing opportunity because we are able to speak freely and stand strong. We need to help others do the same.

Skilled Migration

Senator HURLEY (South Australia) (1.30 pm)—Australia is a preferred destination for many migrants, either for a temporary stay or on a permanent basis. Australia has many levels of entry to accommodate its needs and the needs of prospective immigrants. Although the decline in local and global economies has slowed demand, at least temporarily, Australia benefits very much from an inflow of skilled migrants. In recent years, temporary visas have been extensively used. It was in August 1996 that the federal government introduced a new temporary entry business visa, allowing employers to sponsor skilled workers on a temporary basis for between three months and four years. The 457 visa, the Temporary Business (Long Stay) visa subclass 457, is the visa most commonly used by employers to sponsor overseas workers on a temporary basis.

The initial decision to introduce a new temporary business visa regime was made in September 1995 by the Keating government, after the findings of the Roach report. The Keating government accepted the report’s key recommendation that the entry of businesspeople to Australia be simplified by replacing the range of temporary classes existing at the time with a class incorporating a more streamlined application process. These changes were formalised by the Howard government with the introduction of the 457 visa. The purpose of the visa is to allow employers to quickly recruit skilled workers to fill vacancies that cannot be filled locally, and the visa is most commonly used by employers to sponsor overseas workers. The number of primary subclass 457 visa holders peaked at the end of February 2009 at 83,130 and declined to 78,060 in May 2009. Employers are required to meet minimum salary requirements to prevent the undercutting of Australian wages and the exploitation of overseas workers. Sponsors are also required to have a satisfactory record of training Australian workers and to indicate how the overseas workers will benefit Australia. I repeat: they are required to indicate how the overseas workers will benefit Australia.

In April this year the government announced changes to the 457 visa program in order to ensure it continues to provide industry with much-needed skills whilst not undermining local training and employment opportunities. These measures were developed through 2008, following the commitment by the government in the 2008 budget to implement a package of longer-term reforms to improve the integrity of the 457 visa scheme and address concerns about its use. The package included responses to the recommendations from the Deegan review and the views of stakeholders on the Skilled Migration Consultative Panel. The 2008 budget also included a number of intermediate measures, including an increase to the minimum salary level for the first time in two years and the passage of legislation to enhance monitoring and sanction powers and funding for increased compliance activity. The Migration Legislation Amendment (Worker Protection) Act, which seeks to improve the integrity of the 457 visa program by strengthening the enforceable sponsorship framework, is scheduled to commence in September this year.

In addition to the 457 and other temporary visa schemes, permanent residence arrangements continue to be a significant part of Australia’s migration program in attracting highly-qualified professional and business people. There is a large body of evidence that skilled migration has a very positive impact on the Australian economy. One of
the latest in a long series of reports confirming this view is a recent paper by economics professor Noel Gaston and master’s candidate Melissa Bond, from Bond University in Queensland. They found that an increased flow of skilled migrants boosted local workers’ wages by stimulating demand. It is very evident that workers who are either on a temporary entry visa or permanent migrants are the backbone of many skill groups in Australia. One would ask where Australia would be without the services of professionals from other countries in areas like health, engineering and education. These are people who are in demand all over the world, not just in Australia, in areas including their home countries. These countries are often developing countries.

As outlined above, there are protections in place to ensure that temporary skills and permanent programs do not damage Australia’s jobs or the Australian employment market and that they do benefit Australia’s economy. These programs do remove in-demand service personnel from other countries. There has been some debate about how Australia might recognise this and reciprocate, as it removes workers from their own countries. In fact, Australia does provide some assistance to developing countries in supporting education in their own education system. Australia is doing that through AusAID, helping its partner countries to develop more effective and comprehensive education services. It is indeed a complex equation, because it involves not only increasing the resources to the education system but also improving governance and service delivery. It is obviously beneficial to build internal capacity within countries in our region and those developing countries from which we draw skilled migrants. It is very important for those countries’ development that we support education services, for girls in particular. Girls in developing countries often miss out on education services, and it is important—as we understand very clearly in Australia—that there be education across the board for girls and boys regardless of income levels.

Another important aspect of the aid Australia provides is scholarships. Last week I had a chance to meet politicians and secretariat members from the ASEAN Inter-Parliamentary Assembly, and many of those from the ASEAN countries had studied in Australia. Indeed, one or two were old Colombo Plan students. They all emphasised the importance to them of having had that education in Australia and the importance they saw in enhancing the links between our countries.

Scholarships continue to be a very important aspect of our assistance while education in those ASEAN countries is developing. Fortunately, Australia will double the number of education awards over the next five years in the Asia-Pacific region to 19,000 through three main scholarship programs: Australian Development Scholarships, the Australian Leadership Awards and the Endeavour Awards program. Australian Development Scholarships is a well-established scholarship program for people from developing countries to undertake full-time undergraduate or postgraduate study in Australia. The Australian Leadership Awards is a program to develop leadership and build partnerships and linkages within the Asia-Pacific area and address priority regional issues. So that is important for developing those capabilities for leadership across the entire Asia-Pacific region. There are also the Endeavour postgraduate and postdoctoral awards, which assist in developing academic and technical skills.

Clearly, the scholarship program is an aid program that also benefits Australia while it benefits the countries involved and the re-
region in general. The ASEAN region, from which we draw much of our skilled migration, has been hit hard by the global economic crisis and, as much as it is vitally important for Australia to build our skills base and infrastructure to ensure we emerge strongly from the recessionary environment, it is even more important for this region to do so. Australia should play its part in this for its own long-term interests as well as the obligation I believe we have to reciprocate with regard to the skills we draw from those countries.

Suicide

Senator BILYK (Tasmania) (1.40 pm)—I rise today to speak on the difficult topic of suicide and, in particular, what can be done to prevent suicide occurring. I particularly refer to a seminar I attended recently in my home state of Tasmania.

On 23 May I attended a Community Response to Eliminating Suicide—more commonly known as CORES—seminar hosted by Kingborough Council in southern Tasmania. The CORES program began in the small community of Sheffield in north-west Tasmania after the town was left devastated by 10 locals committing suicide within a five-year period. The program was developed with the aim of enhancing the skills and confidence of community members to intervene with people at risk of suicide and so assist in the community’s goal to reduce the risk of suicide. One of the key people involved with CORES is a woman called Coralanne Walker, who was Manager of Regional Health Services Tasmania. She hoped that by educating people those contemplating suicide will be identified and given the support needed to begin the slow process towards recovery.

CORES was originally funded by the Tasmanian Community Fund in 2003-04. In Kentish, 168 people took advantage of the two-year funded project, and from that a CORES team of 50 dedicated community people was formed and met on a monthly basis. This dedicated group of people continues to meet on a monthly basis even now. I am pleased to announce that in the two years between receiving the initial funding and delivering the report there were no reported suicides in the Sheffield area of Tasmania. The one-day program of CORES training I attended covered signs and indicators of suicide, including suicidal thoughts, assessment of risk, and issues that should be taken into account when contemplating intervening with a person who has suicidal thoughts.

Suicide unfortunately touches many members of the community and people from all walks of life. Only a few weeks ago, one of my dearest friends lost her eldest sister to suicide. This incident, so close to home, highlighted to me that suicidal thoughts are not the preserve of any one particular social or economic grouping or demographic. Celebrities, people in prison, teenagers and farmers—no-one is really immune. The people who complete suicide are only part of the story. There are many others who attempt suicide but survive and there are others who contemplate it but never act. We as a society need to discuss suicide. We need to be aware of what to look for in our families, friends and colleagues so that as many suicides as possible can be prevented.

In 2004 there were 2,098 suicides in Australia. In 2006, 72 Tasmanians took their lives, compared to 75 in 2005. Unfortunately, Tasmania’s suicide rate is much higher than the national average. The north-west region of our beautiful state has the highest rate of suicide in Tasmania. In 2008, the Tasmanian Suicide Prevention Steering Committee conducted consultations with various stakeholders. The consultation process identified people in rural and isolated communities as having a greater risk of suicide, which sup-
ports previous research. The figure for unreported suicides is somewhere between five and 25 per cent greater than the number of suicides, and the known number of people who have attempted suicide is 40 to 100 per cent higher than the total number of suicides. One person in every 12 has thoughts of suicide at some point in their lives, and one in five people suffer from depression.

An alarming statistic is that almost 80 per cent of people who commit suicide are male. One reason for this is that men are more likely to recognise the physical symptoms that come with depression and not the emotional symptoms. It is important that people are able to recognise that there is a problem. This is the first step towards getting better, and, if the emotional symptoms are not addressed, the problems will remain. Even in cases where men realise they are depressed, they are less likely to seek help than women. Men are also more likely to manage symptoms of depression with alcohol and other drugs.

Disturbingly, it is a fact that a person who has attempted suicide is 40 times more likely to attempt to take their life again. It is also known that the people who have had a significant other—that is, someone near and dear to them; someone with whom they have a close relationship—complete suicide are 40 times more likely to attempt suicide. Suicide makes up a small proportion of deaths overall at only 1.6 per cent; however, suicide may account for between 20 and 30 per cent of deaths in some age groups. For each person who commits suicide or attempts suicide, many others are affected. The people left behind are left wondering what they could have done to prevent the suicide, what signs they missed and whether they could or should have done something different, and some even feel that they are to blame for the death.

Suicide is both a complex and a tragic issue and it often occurs as a result of a number of factors combining—things such as mental health, drug and alcohol abuse, family issues, employment, cultural issues, education, poverty, bullying, law enforcement and criminal justice. When a suicide occurs, it is often hard to establish the cause. There are many myths about suicide, including that people who talk about suicide will not act on it, people who talk about suicide are attention seekers, all suicidal people are crazy, it is the act of a mentally ill or psychotic person, most suicides happen late at night, and terminally ill persons are most likely to commit suicide. Myths such as these mean that many people are misinformed about suicide. We all need to be properly informed in order to play our part in preventing suicide. It might be easier to ignore the fact that suicide occurs, but it must not be ignored, because it is a reality that many of us will have to deal with it at some stage in our life.

There are many signs that may indicate a person is contemplating suicide. These include negative comments, changes in behaviour or changes in personal circumstances. It is often difficult to know whether a person is suicidal and, if you are worried about a person, it is hard to know what to do to help them. If a person is talking about suicide, you should listen to them and encourage them to seek professional help. You should ask questions to find out as much as possible. Ask the person if they are contemplating suicide. That is really challenging. In the CORES training I undertook, even though I knew it was only role-play, it was challenging to ask, ‘Are you contemplating suicide?’ and even more challenging when the answer was yes. Asking this question allows you to make a judgment on whether someone said they were going to end it all because they were really upset and it was said in the heat
of the moment or whether it is something they have thought about carefully.

If someone confides in you that they are contemplating taking their life, you should not keep it a secret. This can also be challenging, but, as our trainers put it, would you rather lose a friend and have them still alive because you asked the question and helped them or would you rather take the easy road and ignore the signs and have that person die, or damage themselves in the attempt?

There are a number of options for people contemplating suicide. They can talk to their family or friends, they can go to their GP or the hospital or they can ring a phone hotline such as Lifeline, beyondblue or, in Tasmania, the Mental Health Services Helpline. The bottom line is that they need to talk to someone about how they are feeling. By talking to someone, they are easing their burden and allowing others to be aware of how they are feeling and to help them.

People who talk about suicide are not attention seekers; they are feeling desperate and need help. People who talk about suicide may try to take their life. It is not true to say that all people who commit or attempt suicide have kept their intentions secret. I know from the experience of my own staff that political offices on occasion get phone calls from people who are very distressed and threaten suicide. This is a difficult situation for anyone to be put in and that is why it is vital to discuss suicide and know what to do when someone mentions it. I encourage all senators and members to encourage their staff to attend some form of suicide intervention-training.

CORES is just one suicide prevention program available. In July my colleague Jodie Campbell, the member for Bass in Tasmania, launched a new program in Launceston, the StandBy Response Service. This is a national service, but Tasmania once again was the first state to offer state-wide coverage. This program will work in conjunction with Lifeline. Mental Health Week runs from 4 till 10 October this year, with World Mental Health Day on the 10th. This year in Tasmania, the theme for Mental Health Week is ‘Mental health: let’s make a difference … understand, support and act’. This is exactly what each Australian needs to do.

In conclusion I want to reiterate that suicide is a complex and tragic issue that is too often shied away from. We cannot afford to ignore the issue. It is important that society as a whole is educated about this issue because a huge number of us will have a relative, friend or colleague who has committed suicide or attempted suicide. We need to be educated not only so that we can find coping mechanisms in the unfortunate situation that a loved one commits suicide but also so that we are able to see the warning signs. If we recognise the warning signs, we can act appropriately to ensure that the vulnerable person gets the professional help they need. It is better to prevent a suicide than to have to cope with the aftermath. I also encourage all senators and members as well as their staff to attend a suicide prevention-intervention workshop. An educated society can make a difference on this vital issue.

Sitting suspended from 1.51 pm to 2.00 pm

QUESTIONS WITHOUT NOTICE

Economy

Senator COONAN (2.00 pm)—My question is to the Minister representing the Treasurer, Senator Sherry. How many hundreds of thousands of investors, many of whom are retirees, remain unable to access $25 billion of their savings frozen in investment funds due to exclusion from the government’s rushed bank deposit guarantee?
Senator SHERRY—Thank you for the question, Senator Coonan. Firstly, this government makes no apologies for the introduction of the bank guarantee. We make absolutely no apologies for that. One of the important lessons that the Rudd Labor government learned from the Great Depression is that there are three important broad policies to put in place. The first is to guarantee your banking system, and certainly the circumstances we saw last year necessitated a guarantee of the banking system. Without confidence in the banking system the economy, as we faced last year right around the world when bank guarantees were being implemented, faced collapse. That would have been cataclysmic. That is the first, and we make no apologies for that.

The second is that you deliver stimulus packages. You do not, as occurred in the Great Depression, cut pensions and wages; you implement stimulus packages. We have seen the very positive evidence that has flowed from those stimulus packages. They have helped cushion the Australian economy, along with the bank guarantee. The third is that you do not resort to protectionist measures, which as we know from the Great Depression deepened and lengthened it.

Senator Coonan—What about the frozen funds?

Senator SHERRY—Coming back to the guarantee, as a consequence, in part, of the bank guarantee it is true that a range of funds, property investment funds et cetera—(Time expired)

Senator COONAN—Mr President, I ask a supplementary question. Clearly the government has no intention at all of rescuing these people who have had their funds frozen for 11 months. Given that the government’s poorly designed and rushed bank deposit guarantee has had many unintended consequences and excluded investment funds and triggered the lockdown of deposits over 11 months ago, when will the bank guarantee be withdrawn?

Senator SHERRY—As I recall those very difficult times for the world financial system, your temporary leader, Mr Turnbull, was urging the government at that time to introduce a bank guarantee. He was urging the government to introduce a bank guarantee before the government took the action. It is true that we differed on the extent to which a guarantee should be provided, but you should check with Mr Turnbull. He might choose to ignore history but my recollection is that he urged the government to introduce the bank guarantee. Of course, we did, I have to say, go further than Mr Turnbull suggested, because we believed that that was warranted in the dire circumstances that this country faced. (Time expired)
Papua New Guinea: Aircraft Accident

Senator McLUCAS (2.05 pm)—My question is to the Minister for Defence and the Minister representing the Minister for Foreign Affairs, Senator Faulkner. Can the minister inform the Senate of the latest developments relating to the crash of Airlines PNG flight CG4684?

Senator FAULKNER—Senators would be aware that an Airlines PNG Twin Otter 300 series aircraft, flight CG4684, went missing on the morning of 11 August this year while en route from Port Moresby to Kokoda. Two crew and 11 passengers were on board the aircraft, and nine of the passengers were Australian. The missing plane has been located and it has been confirmed that the plane crashed.

I am very sorry to have to inform the Senate that the Prime Minister has just informed the House of Representatives that the advice from Papua New Guinea is that there are no survivors of the crash. PNG police have deployed two teams into this location. It is a considerable march on foot—some three to four hours—and I can report that the search operation is being very well managed through the Papua New Guinea rescue coordination centre. There are, of course, as I am sure senators appreciate, a number of Australian agencies providing support to the task. (Extension of time granted) I appreciate that extension of time and, as that courtesy has been extended to me, I would not need a supplementary question to be asked of me. The high commissioner and the defence attaché are fully engaged with the Papua New Guinea government, the Papua New Guinea Defence Force and all the other search and rescue authorities and are providing the necessary coordination for the task ahead.

As I said to the Senate this morning, the weather is worsening in this location and it appears likely that it will impede some of the operations at the crash site. The Australian Defence Force has made assets available under Operation Kokoda Assist to assist the Papua New Guinea authorities in their search for the aircraft and will now be involved in all the recovery activities. HMAS Success, with an embarked Sea King helicopter, has been diverted from its location near the Torres Strait. It will arrive at Port Moresby this afternoon. A Sea King helicopter embarked on HMAS Success departed for the accident site at 10.35 this morning. There was an ADF doctor as well as police and Australian consul on board. The Sea King had difficulty observing the cash site because of cloud cover. A Caribou aircraft is currently in Port Moresby. It was tasked for a separate activity but it has been tasked on this operation since seven this morning. It is departing for Kokoda village, carrying a PNGDF infantry contingent and the Australian deputy head of mission at the Australian High Commission.

A C130 Hercules has departed RAAF Base Richmond this morning. It includes a range of capabilities—a command element led by Wing Commander David Howard and an aeromedical evacuation team capable of dealing with whatever is required on the ground in PNG. There is a six-person mobile air load team who will be utilised on site, and there are also members of the AFP disaster victim identification team. As well as that, two Army Black Hawk helicopters from the Sydney area are being prepared for movement by a C17 Globemaster. If a decision is made that that particular capability is required, they will be tasked to leave at 3.30 this afternoon. On this flight, it is possible that further members of the Australian Federal Police disaster victim identification team will leave the Sydney area and it is also possible that four members from the Australian Transport Safety Bureau will be sent to the crash site. Additional Australian Defence Force manpower, including engineering sup-
port, will be made available if required from personnel who are currently deployed to Papua New Guinea on exercise.

Obviously, this is extraordinarily sad and difficult news. It is a terrible tragedy for all the families involved. I know that every senator in this place and so many outside it will be thinking of those people who have been so closely affected by this tragedy at this time. All our thoughts are with them.

**Economy**

**Senator Ryan** (2.13 pm)—My question is to the Minister representing the Treasurer, Senator Sherry. Has the government undertaken any modelling to support its claim that debt will be zero by the year 2022?

**Senator Sherry**—Certainly in terms of the Treasury projections and forecasts that are contained in the budget that was delivered in May, they have carried out their own internal estimates as to the level of debt—both net and gross—the level of budget deficit, the return of the budget to surplus and the estimated years for the repayment of government debt. They have done it in a highly professional and accurate manner.

**Senator Ryan**—Mr President, I ask a supplementary question. Is it not a fact that Treasury specifically denies modelling the medium-term fiscal outlook beyond 2019-2020 and in fact stated in an answer to a question on notice in the last estimates: Treasury did not model the medium-term fiscal outlook beyond 2019-2020.

Is it not a fact that all Labor claims of net debt being zero by 2022 are based on no more than extrapolation and guesswork?

**Senator Sherry**—As I indicated in my previous answer, I did not say that Treasury had done modelling. What I did indicate was that Treasury have highly professional officials who have great skills and expertise, who provide their best assessment of these particular forecast and projections.

**Senator Ryan**—Mr President, I ask a further supplementary question. Senator Sherry, given the government, as you admit now, has not actually modelled the elimination of debt, as it has so often claimed, how can the Australian people and generations of future taxpayers believe the claims about eliminating this debt?

**Senator Sherry**—It is not the government that carries out these sorts of forecasts and projections; it is the Treasury that prepares them on behalf of the government. I have great confidence in the capability and skills of the Treasury officials in their preparation of budget figures. In fact to that extent, in terms of calculating debt levels—and I might make the point that it is certainly not acknowledged by the current opposition—the level of gross government debt when the opposition was defeated was $58 billion. There was a level of gross debt left to this Labor government and it is not commonly understood or acknowledged. They are the same Treasury officials who have provided forecasts for years. *(Time expired)*

**Burma**

**Senator Ludlam** (2.17 pm)—My question is to the Minister representing the Minister for Foreign Affairs. With the sentencing overnight of Burmese democracy leader Aung San Suu Kyi, will the government acknowledge that the time has arrived for targeted trade and investment sanctions against the Burmese regime to prevent Australian companies from inadvertently contributing to the legitimacy and financial support that they are providing to this illegitimate regime?

**Senator Faulkner**—I thank Senator Ludlam for the question. Let me commence
my answer by indicating of course that the
government has condemned the conviction
and sentencing of Aung San Suu Kyi. Both
Mr Smith and the Prime Minister made
statements about this on 11 August. Aung
San Suu Kyi has been convicted under
Burma’s oppressive state protection law and
sentenced to a further 18 months of house
arrest.

I can say that Mr Smith has made very
clear the Australian view on this issue. I am
aware of certain targeted trade and invest-
ment sanctions with Burma. I am certainly
aware of the fact, Senator, that there has
been, as you are probably aware, a ban on
defence exports to Burma since 1991. The
Australian government has had a policy be-
yond that to neither encourage nor discour-
age trade with Burma. (Time expired)

Senator LUDLAM—Mr President, I ask
a supplementary question. I thank the minis-
ter for the answer to the question. It is the
‘not discouraging trade and investment’ point
that I think is the most alarming. I note that
on 18 June 2009 the Senate unanimously
expressed its support for a universal arms
embargo against the regime, and I welcome
also the strong support for this measure ex-
pressed by British Prime Minister, Gordon
Brown, overnight. Can the minister update
the Senate on what the Australian govern-
ment has done to date, since that resolution
was passed by the Senate, in progressing a
worldwide arms embargo?

Senator FAULKNER—I thank Senator
Ludlam for his supplementary question. Yes,
I am certainly aware of the United Kingdom
Prime Minister Gordon Brown’s call for the
United Nations Security Council to impose a
worldwide ban on the sale of arms to the
Burmese regime. I can say that Australia
supports these efforts to seek a UN Security
Council mandated arms embargo on Burma.
Australia agrees that arms should not be sup-
plied to the Burmese regime, which of
course has demonstrated its willingness to
use force against its civilian population.
(Time expired)

Senator LUDLAM—Mr President, I
thank the minister again for the answer and I
have a further supplementary question. Given the extremely disappointing and dis-
agreeing drug evidence that two quite experienced
Australian researchers have documented re-
garding Burma’s clandestine nuclear pro-
gram facilitated by state and private enter-
prises, will the government through our rep-
resentatives in Vienna be supporting the call
for International Atomic Energy Agency in-
spections to assess whether the regime has
violated its safeguards agreement with the
IAEA?

Senator FAULKNER—Certainly I can
say that Australia shares the international
community’s concerns over Burma’s possi-
ble nuclear weapons aspirations and its rela-
tionship, also, with the DPRK. Obviously a
nuclear armed Burma would be a serious
threat to regional and international security
and a setback to efforts to advance nuclear
disarmament and the non-proliferation re-
gime. Certainly also Australia would call on
the Burmese government to be transparent
about any nuclear activities. Burma’s mem-
bership of the nuclear non-proliferation
treaty requires it to place any nuclear facili-
ties under IAEA safeguards, and Australia
expects Burma to abide by its obligations
under the treaty. (Time expired)

Emissions Trading Scheme

Senator BIRMINGHAM (2.23 pm)—
My question is to the Minister for Climate
Change and Water, Senator Wong. Was Yvo
de Boer, the head of the UN climate change
secretariat, correct when he said that it does
not matter whether or not Australia has an
emissions trading scheme in place before the
UN Copenhagen conference later this year?
Senator WONG—Thank you to the senator for his question. I would invite the senator to consider the context of Mr de Boer’s comments, where he also made clear these were domestic issues. I would also invite him to consider subsequent comments by Mr de Boer which the senator may not be aware of. He was asked, for example, on 4 August 2009 about this issue and the relevance of the passage of this legislation to Australia’s credibility at Copenhagen. He answered: ‘I think it helps Australia’s credibility to say, “This is the target Australia is willing to commit to and this is how we are going to achieve it.” That will be good for the country’s credibility, yes.’ I think it is quite clear, consistent with what the government has been saying, that if Australia want to go to Copenhagen with a target the responsible thing to do is to ensure that we have the means to meet it. What we have made clear is that we believe it is in Australia’s interest to ensure that when we agree to targets the Australian people know how it is we are going to meet them, because you do not meet your target by talking about them.

The second reason, of course, for the passage of legislation is business certainty. Greg Gailey, the President of the BCA, talked about climate change being a multidecade investment challenge and about uncertainty being the enemy of those investment decisions. We on this side of the chamber understand that this is an economic reform and we need to give business the certainty which drives the investment of the future. I would also say to the good senator that, if you look at what the G8 said, it is clear this is the direction other countries are going. (Time expired)

Senator BIRMINGHAM—Mr President, I have a supplementary question for the minister. Although Mr de Boer may have talked about Australia’s credibility, his comments that the minister cited in her answer had nothing to do with the outcomes from the Copenhagen conference or what relevance an Australian ETS would have to those outcomes. So why is it that the minister is demanding that Australia rush ETS legislation when in respect of the yet to be passed US emissions trading scheme the US Deputy Special Envoy for Climate Change, Jonathan Pershing, has also said, with reference to the Copenhagen conference, that you can have a deal without having the legislation first?

Senator WONG—Let us be clear about what is being proposed on the other side. What is being proposed on the other side is that it is good for this country to delay further on climate change. After 10 years in government, when those on the other side failed to act on this issue, they are now proposing yet further delay—and further delay in the signal to investors when we know what we need is to give that investment certainty so we can start that transformation process.

I would invite those opposite to consider also the comments of Todd Stern, who I think has made some very interesting comments on this front. Also, across the Tasman, Prime Minister Key was asked, also on 6 August, about the signal that it would send to the world: ‘Do you think it is important?’ This was in relation to the emissions trading scheme. Prime Minister Key said: ‘I think it helps. It shows that you are serious.’ Of course it is well known that—(Time expired)

Senator BIRMINGHAM—Mr President, I ask a further supplementary question. Why can’t the minister explain without the partisan barbs or politicking why her position on the Copenhagen summit and rushing Australia’s ETS legislation is contrary to that of leading UN and US spokespeople on climate change? Why won’t the government just step back, take a deep breath, see what happens at
Copenhagen and use the extra time to consider better alternatives?

Senator WONG—I might refer those opposite to the comments from the Business Council of Australia on 4 May 2009:

In the interests of business certainty the BCA calls on the Senate to pass legislation this year to establish a Carbon Pollution Reduction Scheme.

And the AiG on the same date said, ‘The AiG supports the passage of the CPRS legislation this year.’ The reality is that the responsible economic thing to do is to provide business with the certainty that is required to drive this transformation. This is an economic reform. We are approaching it responsibly and soberly. We have, unlike those opposite, not rushed to come up with an idea after six weeks of modelling. We have been working on this since we were elected, building on the work that was started whilst the Howard government was in power. We have provided legislation to this parliament some 10 years after it was first started to be mooted and discussed by the Howard government. (Time expired)

MV Princess Ashika

Senator MARK BISHOP (2.30 pm)—My question is to the Minister for Defence and the Minister representing the Minister for Foreign Affairs in this place, Senator Faulkner. Can the minister provide the Senate with information about the status of the search and recovery mission for the Tongan ferry MV Princess Ashika, and the involvement of the Australian and New Zealand defence forces in that operation?

Senator FAULKNER—Senators would be aware that the Tongan ferry MV Princess Ashika sank on 6 August and 93 people were lost in the disaster. Australia, with New Zealand, immediately responded to a request by the Tongan government for assistance to search for and recover human remains. Australia provided a Navy clearance diving team and support personnel. I now have further information on the recovery operation and the difficulties of the mission.

Initial reconnaissance searches to establish the exact location of the wreck were not successful. On 11 August, the Navy clearance diving team completed a dive to 50 metres at the suspected site of the sunken ferry. Despite good water visibility, they were unable to positively identify the MV Princess Ashika. This morning, the Royal New Zealand Navy deployed a remotely operated vehicle. I am advised that they are confident they have located the Tongan ferry MV Princess Ashika sitting upright in 110 metres of water. I am very sorry to have to inform the Senate the Tongan ferry Princess Ashika has been found in such deep water that it is beyond the dive capability of the Navy clearance diving team. I can say, however, that our recovery team in Tonga are now evaluating the situation to determine what other recovery measures might be able to be taken.

Senator MARK BISHOP—Mr President, I ask a supplementary question. Can the minister outline the assistance Australia has provided to Tonga for this exercise?

Senator FAULKNER—I thank Senator Bishop for his supplementary question. During the Pacific Islands Forum, the Tongan government requested assistance from Australia and New Zealand with the recovery efforts. On 7 August, the Air Force flew a C130 Hercules to Tonga. Thirty-one personnel were deployed to assist in this operation, including a 16-man Navy clearance diving team. A second sortie on 8 August delivered the remaining equipment required to allow the diving phase of the operation to begin. Our equipment included underwater cutting and lifting tools, as well as imagery and sonar capability and internal medical support, including a deployable decompression
chamber for emergency use if required by our personnel.

**Senator MARK BISHOP**—Mr President, I ask a further supplementary question. Can the minister update the Senate about our relationship with Tonga and our capacity to assist our regional neighbours with emergencies?

**Senator FAULKNER**—This is an important matter. Of course, Australia is committed to supporting, as it has for a very long time, its regional neighbours in times of crisis. We also maintain teams ready to deploy at short notice for emergencies in the region. Australian enjoys a close and productive relationship with Tonga. This close relationship can be no more clearly defined than by the Defence Cooperation Program with Tonga, which is currently in its 21st year, providing a wide variety of military assistance to the Tongan Defence Service. The Tongan Defence Service is a small but very capable military force that plays an important role in operations such as the Regional Assistance Mission to Solomon Islands. At this time our thoughts are with the Tongan community for this ferry disaster. *(Time expired)*

**Pharmaceutical Benefits Scheme**

**Senator CORMANN** (2.34 pm)—My question, of which some notice has been given, is to the Minister representing the Minister for Health and Ageing, Senator Ludwig. Is the Rudd government still pushing ahead with its ill-considered $100 million budget cut to chemotherapy treatment which, according to the budget papers, is due to take effect in less than three weeks, despite the resounding and massive outcry from cancer patient support groups and healthcare professionals from across Australia?

**Senator LUDWIG**—I thank Senator Cormann for his question. I do hope in giving me notice of the question that he does not need to refer himself to the Privileges Committee! The Rudd government is committed to a sustainable and strong PBS. This means we must always seek value for taxpayers’ dollars. The government remains committed to implementing its chemotherapy measure that will reduce wastage of expensive chemotherapy medicines by funding the actual quantity of medicines which are delivered to cancer patients. The PBS, and ultimately taxpayers, will benefit from reducing wastage of these expensive medicines. There are currently no incentives to promote efficient use of these very expensive medicines—a situation which the government considers is untenable. I note that the question goes to the measure which seeks to achieve $100 million in savings through more efficient arrangements for the payment of benefits for chemotherapy drugs. This government is seeking to improve the way we use these medicines so that we can continue to ensure they are affordable and accessible for all Australians.

This measure was to commence on 1 July 2009 with resulting savings of around $105.4 million over the budget period. The government is undertaking to briefly delay implementation of the measure beyond 1 September and will provide a further update on its implementation plans into the near future. There is, I can say, ongoing consultation with stakeholders. This government believes it is necessary and important to consult with stakeholders in respect of this implementation measure, and consultation will be wide-ranging. *(Time expired)*

**Senator CORMANN**—Mr President, I ask a supplementary question. Does the Rudd government now recognise that, whilst phial sizes remain as they are, there will always be an unavoidable and inevitable excess of a chemotherapy drug if patient safety is put first?
Senator LUDWIG—This is one of those areas where Senator Cormann needs to be able to distinguish between what we say are legitimate concerns and the misinformation that can arise. For example, despite claims to the contrary, patient safety will not be adversely affected by this measure, as it does not promote any change from current pharmacy practices in relation to the multiple use of chemotherapy phials. The government is reviewing the measure to ensure that patient treatment is not compromised and public and private oncology pharmacy services remain viable so that there will be no influx of patients from the private to the public sector. In taking on board the question that Senator Cormann asked, there are two matters that I have gone to: firstly, ensuring that patient safety will not be adversely affected, but also ensuring—(Time expired)

Senator CORMANN—Mr President, I ask a further supplementary question. Given that the minister has just advised the Senate that the Rudd government will press ahead with forcing vulnerable cancer patients and community pharmacists to fund the government’s $100 million cut to cancer treatment, when will the government inform cancer patients, who need to know now whether they can afford their chemotherapy drugs next month or indeed whether they will even be available? This is now the second delay and we are less than three weeks away from when, according to the budget, this measure is to be implemented.

Senator LUDWIG—The government recognise—and I think this is an important point to make—that cancer is the leading burden of disease in Australia. The government are committed to tackling cancer and reducing its burden on Australian families. We said that this measure was to commence on 1 July 2009, with the resulting savings, but the implementation measure will be delayed briefly beyond 1 September. The government will provide a further update on our implementation plans in the near future to ensure that there is certainty for those people in the community who are affected by this. It is important to ensure that there is consultation with stakeholders so that we can be sure that these issues are well dealt with. One of the medicines, Avastin, was listed on the PBS from 1 July—(Time expired)

Emissions Trading Scheme

Senator FIELDING (2.40 pm)—My question is directed to the Minister for Climate Change and Water, Senator Wong. Given that the Prime Minister promised in his 2007 election victory speech that working families would be better off under a Rudd Labor government, can the minister explain how working families will be better off under an emissions trading scheme when, according to the Energy Supply Association, the costs of power will increase by 40 to 50 per cent by 2020 and that will, both directly and indirectly, increase the cost of basic necessities such as groceries and other goods?

Senator WONG—The first point to be made is that I think the comment about working families never having been better off was actually the previous Prime Minister’s. We have been upfront about the fact that in tackling climate change there is not a cost-free option. The Prime Minister and other ministers, including me, have been completely upfront about that. We have also said that Professor Garnaut’s review shows, just as Lord Nicholas Stern’s report showed, that the costs of failing to act are greater than the costs of action now.

We published last year, through the Treasury October modelling report, the low-pollution modelling report, an outline of what was the most comprehensive modelling undertaken by the government. We set out very clearly the economic costs of imposing a price on carbon. We made it very clear
what the sorts of transitional costs would be. In response to that, the Prime Minister, in his Press Club announcement of the white paper in December, outlined a very comprehensive household assistance package which focused primarily on low-income families but also on middle-income families. The senator may not recall that under that approach at least half of the auction revenue from the permits will go back to households and around 2.8 million households—that is, some 90 per cent of low-income households—will in fact receive some 120 per cent or more of their cost of living increase over the first two years of the scheme. Some 97 per cent or more of middle-income households will receive some assistance. (Time expired)

Senator FIELDING—Mr President, I ask a supplementary question. Given the huge cost of the ETS, and given that it has been reported that China has announced its plan to build one super power station, possessing the same capacity as Australia’s entire power sector, every four months until 2020—that is, around 25 to 35 Australian coal-fired power stations over that period of time—how can the Rudd government continue to think that an ETS for Australia will markedly improve global emission reductions when the rise in China’s emissions during the next eight years will be about 140 times Australia’s planned reduction over the same period?

Senator WONG—The fact is that both major parties—certainly those opposite, while they were in government, and the Rudd government—have come to the conclusion that it is in Australia’s national interest to act to reduce emissions. It is in Australia’s national interest to reduce emissions. Those opposite have had a number of policy changes since the election, but that is certainly what Prime Minister Howard went to the last election with. In relation to the issue of China and other nations, I think the point that was made in the Shergold report to Prime Minister Howard was that, notwithstanding some of those issues, it was in Australia’s interest to act, that there would be benefits to our economy and costs that could be avoided by acting. On the issue that the senator previously raised, I again refer him—(Time expired)

Senator FIELDING—Mr President, I ask a further supplementary question. Given the huge cost to the Australian economy and families and given that the Senate is being asked to vote on the government’s ETS legislation this week, can the minister advise whether the government had any discussions with Professor Will Steffen on his invitation to brief senators today? Did the government put any pressure on him not to attend?

Senator WONG—I certainly do not recall having had any discussion with Mr Steffen about which meetings he attended or did not attend today. I will see if I can take advice on this issue.

I would again remind us all what the science has told us. The fourth assessment report has demonstrated that since the 1950s the warming rate has accelerated to nearly twice that which has occurred over the past 100 years. There have been increases in ocean temperatures, there have been rising average sea levels and there has been extensive melting of snow and ice. Globally, 13 of the 14 warmest years on record occurred between 1995 and 2008.

That is why the G8—the world’s leading economies—have called for action on climate change and have endorsed cap-and-trade schemes. This is the way the world is moving and we think Australia should be moving accordingly because it is in our economic interest to do so.

Automotive Industry

Senator ABETZ (2.46 pm)—My question is to the Minister representing the Minister for Trade. Will the minister confirm that the
Minister for Trade directed the Export Finance and Insurance Corporation to provide the secret $200 million loan facility to GM Holden under section 29 of the EFIC Act, the so-called National Interest Account?

Senator Chris Evans interjecting—

Senator CARR—Yes, I know!

The PRESIDENT—Senator Carr, address the chair and the question that is before you.

Senator CARR—Senator Abetz has, of course, misrepresented the situation in regard to the government’s support for an EFIC export credit facility for General Motors Holden. The government has provided support through EFIC to General Motors Holden of a $200 million facility which has not been drawn down. This was because EFIC was able to do so through the National Interest Account—it was not able to facilitate this through the commercial account—and because General Motors Holden is a very important part of the new General Motors worldwide.

EFIC’s support was critical to ensure that, in a period of high uncertainty, General Motors Holden was able to be maintained as part of a new global General Motors. It was a decision taken by the trade minister, as is required by law, but it was a decision by the cabinet. As a proposition that was fully discussed within the government, it was not a secret; it was revealed—in fact, I am on the public record on Friday.

I understand that you have been getting certain advice through certain emails. I suggest that is not the process that you should rely upon in these matters. I would have thought that the advice that you have received on these matters is quite inaccurate. You could have relied upon the statements of government ministers that were published in the press last week.

Senator ABETZ—Mr President, I ask a supplementary question. The government was that forthcoming that, when I asked about this matter in February estimates, the minister refused to answer. So, before the minister gets on his high horse, he might like to go back to his refusal to answer questions on those matters.

Can I ask the minister whether it is right that EFIC’s 2008 annual report states:

Transactions are usually referred to the Minister for consideration on the National Interest Account where the size or risk exceeds EFIC’s commercial parameters...

For the minister’s information, that is on page 15. Will the minister advise the Senate whether the size and risk of the $200 million loan to GM Holden exceeds EFIC’s commercial parameters, and, if so, did the minister—and, I understand, the cabinet—direct EFIC to put this onto the National Interest Account?

Senator CARR—I thank the senator for the question. I do think he should check the Hansard again regarding the Senate estimates. He may well have been misinformed on that occasion as well on the basis of any questions he sought to put to myself or the officers.

The loan was offered through the Export Finance and Insurance Corporation. I have confirmed it was in line with the requirements of the EFIC Act, which allows for loans to be provided in support of Australian export efforts. The facility provides for a secure loan, subject to strict commercial conditions, to protect the Commonwealth’s interest. The details of EFIC’s transactions have remained—as they have on so many occasions under your government as well as ours—commercial-in-confidence. The loan will be managed, if it is drawn down, in accordance with the normal commercial practices.
The question of whether it was on the commercial account or the National Interest Account was a decision taken by government—(Time expired)

Senator ABETZ—I simply refer the minister to his own written answer to question on notice No. AI-41 from Hansard of 26 February 2009, page E91, for his reference. My further supplementary question is: will the minister advise the Senate how much of EFIC’s current $1.1 billion national interest account has been made available to commercial entities, or is GM Holden the only commercial entity to have been given this sort of provision?

Senator CARR—I would simply indicate that Senator Abetz has relied upon some dubious sources in regard to his estimates performance. He was properly advised of the custom and practice in regard to EFIC, which was the practice according to the EFIC Act, followed by us—as it was by you when in government, Senator Abetz. It is standard procedure for EFIC to provide facilities to companies in terms of their provision of support for Australian exports. As to the specifics of your question in regard to the administration of EFIC, I will have to seek further advice from the minister for trade. What I would say to you, Senator Abetz, is: do not rely on dodgy sources when you are trying to make your sorts of allegations.

Climate Change

Senator PRATT (2.53 pm)—I have a question for the Minister for Climate Change and Water, Senator Wong. I would like to know some of the details and would like the minister to advise the Senate about the ‘think climate, think change’ competition that schoolchildren have been participating in and that I think was launched in April this year. I would like the minister to advise the Senate why the Rudd government held this competition, what the significance of it is, how many children have been participating and what they have been up to. I have looked at some of the results online and they seem quite inspiring. Given the minister and the Deputy Prime Minister awarded prizes to the winners today, I would like the minister to highlight that to the Senate—because children’s participation in this issue is important—announce the winners of the competition and outline the details of the winning entries.

Senator Joyce—Mr President, I raise the point of order that yesterday you pulled me up for giving a discussion before a question. Surely this is more than a discussion: this is a diatribe.

The PRESIDENT—There is no point of order but I thank you for drawing that to my attention, because one of the comments I was going to make at the end of question time was in relation to the amount of statements that were made in the lead-up to questions today. I was going to advise that, if there were question committees in existence, they might consider withdrawing statements from questions in future—but I do not know if there are committees in existence, Senator Joyce.

Senator Ferguson—Mr President, on the point of order, could I ask that you look carefully at the content of the question asked by Senator Pratt, which in most cases she said she would like to know, rather than asking the minister to inform the Senate of any information that might be advised. Could I ask that you carefully look at the content for the explanation that was given during the questioning as to whether or not that was making a statement as well as asking a question?

The PRESIDENT—Senator Ferguson, firstly, I will look at the Hansard of question time and look at all questions in respect of statements that were made at the start of questions. Secondly, I will review, in particular, the question asked by Senator Pratt and,
if there is a need to come back to the chamber, I will, on either matter. Senator Wong, you have a question that has been asked of you and you need to answer it.

Senator Wong—Thank you, Mr President, and I thank Senator Pratt for the question and for her interest in this issue. Today it was my great pleasure to congratulate the winners of the Australian government’s ‘think climate, think change’ competition. This competition was inspired by the many contributions that I get, as minister for climate change, from schoolchildren and young people around Australia all throughout the year. The reality is that no-one is more interested in the issue of climate change than our young people, and that is because nobody will be affected more by climate change than young people.

Students were asked to submit their entries to this competition in a range of forms including short stories, poems, songs or artwork in response to the question: ‘What does climate change mean to me?’ The company, Kids Media, coordinated the judging process and selected qualified teachers currently in the teaching system to act as judges. I am pleased to advise that 7,666 entries were received, and the Deputy Prime Minister and I were very pleased to be able to welcome the first three prize winners and their families to Canberra today as part of their prize. I thank other members and senators, including the member for Casey and Senator Milne, for their attendance at the prize-giving ceremony today.

The first prize winner for the grade 3 to 4 category was Isabella Compton from Our Lady of the Rosary Primary School in Kensington, New South Wales. Her winning entry was a compelling piece of artwork. She wrote:

Climate change makes the world a not so nice place to live in. In my artwork I am showing what could happen to trees in the future. The red stripes are a blanket of pollution …

(Time expired)

Senator Pratt—Mr President, I ask a supplementary question. What I am most interested in is further advice about the winners of this competition. In the remaining time, I would like to ask the minister to please advise the Senate about the winners of the competition. In particular, I would like the Senate also to be advised about the entries in the older age categories. Thank you.

Senator Wong—I will just finish what Isabella Compton wrote. She wrote:

The red stripes are a blanket of pollution and heat trapped over the earth with nowhere to escape, making the planet hotter and hotter.

I am also pleased to advise the Senate that the grade 5 to 7 category was won by the Young Environment Protectors—and that is the name they have given themselves—from Manchester Primary School in Victoria. They are represented today by Krystal Vanschoonhoven. Their artwork was a shared task, and it explored how we live now and how we could live in the future if we cared for our environment and addressed climate change. Finally, Michelle Aitken from John Curtin College of the Arts in Fremantle won in the grade 8 to 9 category for her entry, which included both a visual and a Shakespearean sonnet calling on the older generation to listen. I would like to take this opportunity to thank all those who participated. There were some 7,666 entries from young people around this country who were interested in this issue into the competition. (Time expired)

Senator Chris Evans—Mr President, I ask that further questions be placed on the Notice Paper. I inform the Senate that following discussions with the opposition leader in the Senate, Senator Minchin, the government will tomorrow move a condo-
ience motion for those killed in the Papua New Guinea air crash.

QUESTIONS WITHOUT NOTICE:
ADDITIONAL ANSWERS

Budget

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy) (3.01 pm)—I have a response to the question Senator Joyce asked yesterday. Unfortunately, he directed it to the wrong portfolio. The Treasury have advised me that the answer to his question is that the current face value of all Commonwealth government securities on issue is $107.5 billion. I thank the Treasury for providing that information to me.

Senator Joyce—I just want to clarify that. Did you say 107.5?

Senator CONROY—Yes. That is the answer they have given me.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Pharmaceutical Benefits Scheme

Senator CORMANN (Western Australia) (3.02 pm)—I move:

That the Senate take note of the answer given by the Special Minister of State (Senator Ludwig) to a question without notice asked by Senator Cormann today relating to funding cuts for chemotherapy treatment.

The Rudd government has been a complete failure in health. The Minister for Health and Ageing, Nicola Roxon, has been a complete failure in the health portfolio. In the lead-up to the last election, we were promised that by the middle of 2009 a Rudd Labor government would fix public hospitals. Labor supposedly had a plan. The buck would stop with the Prime Minister. He was going to work with the states. He had learnt from Labor’s mistakes of the past and was no longer going to go after people with private health insurance. But what have we had? We have had a 20-month review on how to fix hospitals. We are now having a review into the review and we are going to have a bureaucratic process into the never-never trying to come up with a way forward in the health portfolio. The minister is completely out of her depth. She has not got a clue as to what she should do to improve our public hospitals in Australia. And we have a government that is spending billions and billions of dollars, that is borrowing money to give it away. But vulnerable cancer patients are being asked to pay the price of Labor’s reckless spending.

The budget measure that I asked Senator Ludwig about was first listed in the budget in May 2008—that is, 15 months ago. The government was going to save $140 million from ‘efficiency measures’, as it put it, in the management of benefit payments for chemotherapy drugs. We asked some very benign questions at the time in Senate estimates. We were trying to find out how it would work, how the government was going to achieve the savings, who would miss out and how it would work in practice. The answer I got about 12 months ago was: ‘It’s still a way off. We’re still working through the detail. We’re going to work with stakeholders. We’ll let you know when we get a bit closer to the time.’ Of course, as we got closer to the time—in the lead-up to 1 July—it was very clear that the government had not done its homework and did not know how achieve the savings without hurting cancer patients. It back-pedalled from that measure at 100 million miles an hour and delayed it to 1 September. Now 1 September is less than three weeks away. There is serious concern among cancer patient support groups and healthcare professionals as to what will happen on 1 September. The minister told us today that the government was going to delay the measure briefly yet again. What does
‘briefly’ mean? How long are you going to delay it for, Minister?

Let me just explain a few things, because the story changed every step of the way. When we first asked questions about it, we were told: ‘There is an unused proportion of a phial of very expensive chemotherapy drugs. If it is not used we don’t want to fund it.’ Community pharmacists are just discarding the unused portions of these very expensive chemotherapy drugs. The reality is this. We are talking about very dangerous drugs. We are talking about people who are in protective gear from head to toe when dealing with these drugs. They treat very carefully something that is no longer allowed to be used after the phial has been opened. We are talking about TGA requirements which say that, once a phial has been opened—even if there is an unused portion in the phial—you are not allowed to use it for any other patient. That unused portion of the phial has to be discarded. It has to be done away with. Then the government changed its story. It said, ‘There are pharmacists out there who are discarding whole unopened phials.’ What a joke. How many community pharmacists do that? What are your figures? What is your modelling? They were not able to answer those questions. No answers whatsoever were available.

The government have been ducking and weaving. They know they have made a mistake. They know they did not think things through. It is the way they usually do it in the health portfolio. They come out with these budget cuts, with Treasury driven initiatives, and the Minister for Health and Ageing goes out there like a propaganda minister, selling the Treasury line, and it is cancer patients across Australia who have to pay the price.

Here we have health department officials now sending out emails to stakeholders telling them, ‘We’re still not ready.’ I will just read this into the record, because it is a disgrace—stakeholders are now being made responsible for the government’s complete failure on this measure. This is what an official from the health department told health-care professionals across Australia:

… without further cooperation from stakeholders, some of the proposed ways forward are not feasible.

Well, why didn’t you speak to stakeholders before you put this measure in the budget?

The Government is briefly delaying implementation of the measure beyond 1 September, and will provide a further update on its implementation plans in the near future.

We are less than three weeks away. Cancer patients across Australia deserve to know what the government’s intentions are, because we are talking about hundreds and hundreds of dollars for every single dose that people might have to pay out of their own pockets if the government goes ahead with this absolutely ill-considered plan.

**Senator LUNDY** (Australian Capital Territory) (3.07 pm)—I think in the first instance I need to respond to Senator Cormann’s offensive diatribe, aimed at the minister for health, in his opening remarks in taking note of answers today. It was completely unnecessary if he had valid points to make about the handling of this chemotherapy issue. Had he listened carefully to the minister he would have realised that most of the things that he complained about in his presentation to the Senate today were specifically addressed. I think we have all noted now that the measure, which was to commence on 1 July 2009, was delayed until 1 September, and you have now been advised, as have stakeholders, that there will be further information provided by the government. This is obviously information known to you, Senator Cormann, yet you insist on coming into the Senate and implying that nothing is being addressed, nothing is being
done, when every effort appears to have been made to keep you in the loop.

Senator Cormann would probably also know, had he listened to the minister’s response, that the Rudd Labor government is committed to a sustainable and strong PBS, and this means we need to always try—as previous governments have tried, not without controversy—to manage the costs of the PBS as those costs rise and rise and rise. We remain absolutely committed to implementing our chemotherapy measure that reduces wastage of expensive chemotherapy medicines by funding the actual quantities of medicines that are delivered to cancer patients. By any test this is a reasonable approach and a responsible approach when expending taxpayers’ money.

There is no doubt that there are currently no incentives to promote efficient use of these very expensive medicines—and Senator Cormann himself went to some lengths to point out one of the reasons they are so expensive: they are very difficult medicines to manage. We believe that the only way we can improve the use of these medicines is to continue to ensure that they are both accessible and affordable for all Australians.

Now, we do need to be careful—and I have to make this point—that we distinguish between legitimate concerns that are being expressed about this issue and misinformation that is being provided, including in the chamber today by Senator Cormann from the opposition. Despite claims to the contrary, patient safety—and this is a good example—will not be adversely affected by this measure, as it does not promote any change from current pharmacy practices in relation to the multiple use of chemotherapy phials. As Senator Cormann also knows, the government is reviewing the measure to ensure that patient treatment is not compromised and that public and private oncology pharmacy services remain viable so that there will be no influx of patients from the private to the public sector.

Labor have also invested, as a result of our 2009-10 budget, some $600 million to ensure that Australians are able to receive much-needed medicines. As I said at the beginning of my comments, we have a commitment to making sure that the quality of service received by cancer sufferers in Australia’s health system improves.

I would like to remind colleagues in the Senate that the Rudd Labor government did release a substantive statement on future health reforms just recently. I cannot help but think that, in light of that and in the absence of any constructive contribution from the opposition in relation to much-needed and long-awaited major national health reforms, there is a bit of discomfort on the other side of the chamber about the poor performance of the former Howard government in the area of health. For years we watched from the opposition benches the mismanagement of the health portfolio. We watched the costs rise but saw no structural reform of or impact on the health system by the former Howard government. It was, as usual, left to federal Labor to step in with a visionary plan of substantive reform, and that has been placed on the agenda with the statement put forward by the Prime Minister just the other day.

So I think what we are seeing here is a very narrow question and a very narrow taking note of answers trying to attack an embedded budget measure to reduce waste, increase efficiency and therefore enhance the sustainability of our health system, rather than any issue of substance. *(Time expired)*

Senator ADAMS (Western Australia) *(3.13 pm)*—I am very close to this issue at the moment, as I myself am undergoing chemotherapy. During the months that I have been attending the clinic, I have been asked
by a number of medical oncologists what is going on: ‘Why is this being delayed? Are they still going on with it?’ ‘Are our patients going to suffer?’ As far as community pharmacists in rural areas are concerned, this is not waste. But who is going to have to pay for the extra bit of the drug that cannot be used? As you heard Senator Cormann say, pharmacists are not supposed to use it. I asked the following question on notice of the department at budget estimates:

Is the department aware of the effect on pharmacists if the government pays for only the amount of chemotherapy used? Eg, if only ¾ of a vial is used the pharmacists would be out of pocket for ¼ of a vial. Therefore a pharmacist could be out of pocket by up to $640 for a drug such as Herceptin?

The answer was:

This measure is designed to encourage the efficient use of chemotherapy medicines.

I take absolute umbrage at this, because I have watched these medicines being drawn up and the way they are prepared in the clinic that I attend, and these people are very, very careful; as far as efficiency goes, they do the best they possibly can. I think it is very poor of the government to criticise these health professionals who are doing their best for a number of very vulnerable people in the community.

The clinic I attend has 70 patients in the morning. Those people work very hard and make sure they do absolutely the right thing. Who is going to pay for the gap if the patient no longer needs to use a full phial because their weight has reduced, which often happens with cancer treatment? What if they now only need to use three-quarters of a phial? That is the problem. Is it going to be passed on to the patient or is it going to be the pharmacist who is going to have to pay for it, like I talked about in country areas?

I listened to the minister’s answers today. I was once again in the midwifery inquiry asking when this is going to happen. The responses I got were: ‘briefly’, ‘in the near future’ and ‘shortly’. We really do want to know. These regulations were going to start on 1 September, but we are still having ongoing consultation with stakeholders. Just how much consultation can one have? Looking back at my other questions on notice, I see, ‘The department has undertaken extensive stakeholder consultation.’ I am getting fed up with hearing day after day at every inquiry, ‘We’re doing extensive consultation.’ When you ask who the stakeholders are they cannot be named. They say, ‘We are reviewing the treatment and looking at patient safety.’ Surely you looked at patient safety at the start.

Somehow we have to get past this ‘briefly’ and ‘in the near future’ and having policy made on the run with nothing to back it up. This should be resolved. For goodness sake, I am sure that savings can be found somewhere else rather than hitting this very vulnerable area of the community.

Senator POLLEY (Tasmania) (3.17 pm)—This is a very emotional issue to take note of answers on. Senator Cormann made some comments that were quite disingenuous considering the former Howard Liberal government’s 12 long years of neglect of the health system in this country. Senator Adams, as we all know, does have a firsthand account of cancer, and I have a family member who now, unfortunately, will not survive with these cancer treatments.

We can all come into this chamber and play politics with people’s health, but I do not think that serves the community’s interests and I do not believe it serves the country. As I said in the last sitting when we had a debate on health, I would stake the Rudd Labor government’s health agenda against
the 12 long years of neglect of the Howard government any day of the week. Bring it on, Senator Cormann! Give us 12 years in government and our record on health will diminish any limited capacity that your former government had in looking after the health and welfare of Australians.

I remind people that this week, hopefully, we will get to debate the alcopops tax. If you were really serious about health then you would support that legislation, Senator Cormann. You were one of the most vocal in opposing that legislation because your interest in health is one that only serves your own political agenda.

The Rudd Labor government, as all Australian governments do, has it foremost in its mind to always consider the taxpayer when expending any money. We are committed to ensure there is no wastage. If you listened to the contribution of Senator Cormann, you would have heard: ‘It’s okay to waste. It doesn’t matter if we waste. What difference does it really make? We should just make this available.’ We have a responsibility to govern for all Australians and to ensure that we get the best value for all taxpayer money that is expended.

As I said before, you can come here and play politics with people’s health, but that is not our agenda. We are about improving the health system. Ultimately, the taxpayers will benefit from reducing the wastage of expensive medication. There have been lots of injections to improve the Launceston General Hospital over the last 18 months because it is one of the many hospitals in rural and regional Australia that were neglected by the former Howard government. As a former member of that hospital board I know only too well the cost of medical equipment and medicine in providing the health system that we have in this country, which I consider to be the world’s best. In delivering those services we have a responsibility to the taxpayer. Unlike the previous government, we are accountable for every dollar this government expends, whether in health or in any other area.

In relation to access to chemotherapy and the measures that this government is undertaking that were announced in the budget, we are consulting, and I think that is a very good thing. The Australian people expect us to consult. We are not as arrogant and out of touch as those opposite were when they were in government. This is another prime example of where they do not want to consult and be accountable. We take our role in governing this country very seriously and we will continue to do so.

We need to be very careful to distinguish between legitimate concerns and misinformation. I think that has been borne out over recent weeks in terms of misinformation and emails—and we do not need to go there. We need to focus on the contribution Senator Cormann made to this debate. I acknowledge the contribution of Senator Adams and her concerns, as she too knows firsthand the issues that confront not only individuals but families who are experiencing cancer.

I reiterate that no patient’s treatment will be compromised by these measures. I think that at the end of the day that is the most important thing. It must be on the record that we will do nothing that will compromise a patient’s health and wellbeing.

Senator BOYCE (Queensland) (3.22 pm)—I also seek to take note of Senator Ludwig’s answer. I would like to thank Senator Adams for her contribution to this discussion this afternoon, in contrast to the contributions we have seen from Senator Lundy and Senator Polley. Senator Lundy tells us that it is trivial to care about the effects of government policy on chemotherapy patients. Senator Polley wants us to worry
about how accountable the current government is for its funding—it is apparently so much more accountable than the Howard government. Could I invite her to have a look at the relative surpluses and deficits of those two governments and to think about who was actually being accountable for funding spent instead of attempting to develop a sense of Ruddian omnipotence. There seems to be a view amongst the government that to criticise policy in any way is to play politics. Apparently, with their current omnipotence, this government is completely above politics. To suggest that a chemotherapy patient might have to pay more, that someone is going to have to pay for this mistake—one of the many mistakes made by the Minister for Health and Ageing—is apparently to play politics.

It is not about playing politics. It is about trying to get policy that has had plenty of time to be fixed, fixed properly. Why hasn’t that happened already? The fact is that this was a May 2008 budget measure—that is when it was first proposed. But then, oh goodness, we have the health minister, Nicola Roxon, coming out on 27 April to say they are going to ‘delay implementation of the chemotherapy budget measure from 1 July for two months till 1 September’ so that they can: … work with key stakeholders on resolving outstanding issues and to negotiate with industry stakeholders on modified arrangements.

As Senator Cormann has very ably pointed out, they will not even manage to do this by 1 September, in three weeks time, which was their new deadline. How much ‘continuing to work with stakeholders and industry to make sure we get the details right’, as Minister Roxon said, can one person, one department or even one minister do? Then we have Senator Ludwig pointing out again today that this will now be delayed past 1 September to allow for ‘ongoing consultations with stakeholders’. Oh dear! This is from May 2008. You would have thought that before this went into the budget the first time they would have done their consultation with stakeholders.

This is going to have a disastrous effect on people undergoing chemotherapy treatment. We currently have a situation where we are being told by the government and the department that, if, for example, 10 phials of chemotherapy drugs are prescribed and only eight are used, the other two can be used later. But we are being told over and over by the industry and the stakeholders—who apparently have been being consulted for almost two years; if the government has listened once to its stakeholders it would have heard this—that this is dangerous and it will be unsuccessful. These are volatile and dangerous drugs. John Stubbs, from the Cancer Voices Australia organisation, says that in fact it will lead to an increase in bacterial and viral infections. He says it is a completely flawed notion to think that leftovers can be safely used.

Why can’t the minister finally do some real consulting and, if she wishes to have real efficiency, try to work out a method for reducing the size of the phials that are used? This must be perfectly achievable. But, of course, the government has said: ‘Oh, no, that would involve talking to pharmaceutical companies. This would involve international discussions. We couldn’t possibly do that.’ I figure that, in fact, they could not do it—it would be possible for a competent minister to do it, but it is probably well beyond the capacity of the current one. In the meantime, places like the Gympie Hospital will have to cease treating chemotherapy patients if this legislation proceeds.

Question agreed to.
Senator LUDLAM (Western Australia) 

(3.27 pm)—I move:

That the Senate take note of the answer given by the Minister for Defence (Senator Faulkner) to a question without notice asked by Senator Ludlam today relating to Burma.

Today we are remembering the courage and the endurance of Daw Aung San Suu Kyi, the democratically elected leader of Burma who, for most of the last two decades, has been under house arrest in some form and who, after a closed-door trial, was yesterday sentenced to be isolated in her home for at least another 18 months. Why will she be locked in her home for at least another 548 days? Because a United States man, uninvited, swam to her residence—a residence that was meant to be guarded by the Burmese military regime headed by General Than Shwe. That is the proximate excuse but, in reality, she will spend another birthday alone because the regime is so terrified of this woman and everything she stands for, her endurance and her determination to non-violently resist the repression of one of the worst military regimes in the world.

The regime is very afraid of her participation in any form in the 2010 elections, which will be entirely illegitimate if they proceed under the constitution that our foreign minister has quite correctly called a sham. This constitution reserves a quarter of representation in the parliament for military personnel. It reserves key portfolios, including defence, home affairs and border areas, for military personnel. The constitution is flawed and it fails to achieve any basic democratic standards, including by precluding women from running for major office.

Burma is being controlled by an oppressive and brutal regime—of this we can be absolutely certain. Australia has a very important role to play in applying diplomatic pressure and assisting with a coordinated and effective international response. We certainly welcome, and I think all sides of politics welcome, the very rapid comments made by the foreign minister and the Prime Minister last night when the news broke about the sentencing of Suu Kyi. I would also like to add a note of thanks or appreciation for the proposal to recommit to broadcasting Radio Australia into Burma. That is very welcome.

But of course the situation in the country is still exceptionally grim and unfortunately much of what we have seen in the last few years from the Australian governments of both flavours has been merely words. In November last year the regime sentenced another 200 individuals to extremely harsh prison sentences for political crimes. That brings the population of Burmese political prisoners to somewhere over 2,000 people. The suffering in this country has been going on for many years and, as such, it does not have the same effect as other conflicts might have on governments and on public opinion.

We believe Burma suffers from a form of international fatigue. Behind closed doors and behind barbed wire and the walls erected by the military regime, the people of Burma suffer extreme repression while the military men—and they are mostly men—use all sorts of tactics to delay, threatening of further repression and reprisal, while they appease and placate and line pockets to secure their positions.

A very long list of countries—and I will not read them all out—that includes Austria, Belgium, Bulgaria, Germany, Greece, Norway, the United Kingdom and the United States have all called for a global arms embargo on Burma. So it is extremely significant that today the Australian government joined those calls. It is more than past time that Australia supported a global arms embargo that other likeminded countries have been pursuing. I was delighted to learn that
the government is working with these governments internationally to advance such an embargo through the Security Council. What I would really welcome would be a more detailed statement—certainly more than the Minister for Defence was able to give in a minute or two—of exactly what avenues the Australian government is pursuing to this end.

It is high time that Australia ceased to allow companies to profit from the misery and suffering of the Burmese people and to stop providing legitimacy to the regime by allowing trade and investment in Burma. I think many people would not be aware that there is some flow of investment and trade between Burma and Australia, and it is high time that that ceased. There would never be a better opportunity than right now, in the wake of the sentencing. Targeted financial sanctions and travel sanctions on the regime are important and they are absolutely not enough. Australian companies profiting from oil and gas, pearls, timber and other trade in Burma are profiting from what a brutal regime is doing to an entire nation and it is time to stop. The defence minister this afternoon alluded to a tightening of sanctions. I am very interested to know exactly what that means. But it is high time that we prevented these bilateral flows of trade and investment.

Lastly, over a dozen Nobel laureates, academics and legal experts have called for the establishment of a Security Council commission of inquiry into war crimes and crimes against humanity in Burma. We heard again some tough talk from very senior ALP representatives in the run-up to the last election and it is now time for that to be converted into action, because very little has occurred to date. In an open letter to the Security Council, these Nobel laureates and elders stated, ‘The decades-long struggle to end atrocities and repression and to bring about reconciliation is at a particularly crucial moment’—(Time expired)

Question agreed to.

CONDOLENCES
Mr Peter Milton
The DEPUTY PRESIDENT (3.33 pm)—It is with deep regret that I inform the Senate of the death on 8 August 2009 of Peter Milton, a member of the House of Representatives for the division of La Trobe, Victoria, from 1980 to 1990.

PETITIONS

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

Early Childhood Education Award
To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
The current Award Modernisation - Educational Services (Other than Higher Education) (AM 2008/33J) which seeks to bring Early Childhood teachers currently working under the Early Childhood Education Award under the same award as those employed under the Child Care Award. in this case we will see tertiary trained degree professionals being paid the same as 1 year TAFE trained staff.

Positioning our C&K teachers under this award will make it very difficult to retain qualified Early Childhood teachers within our kindergartens. The wages and conditions available in schools and other areas will be more attractive and thus sort more by our highly respected and qualified teachers. Furthermore, and even more importantly the educational outcomes for children within the kindergarten program will be severely affected.

Your petitioners request that the Senate:
Seek to allow Early Childhood teachers working in non-government pre-schools and kindergartens and in long day care services to remain under the award of the Early Childhood Education Award rather than be merged with child care workers under the Child Care Award.

by Senator Boyce (from 681 citizens)
Youth Allowance
To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
changes to the Youth Allowance will cause great strain on young people especially those from regional areas who choose to study beyond High School.
Your petitioners ask/request that the Senate:
call upon the Government to rethink the proposed changes to the qualifying requirements to receive the ‘Independent Rate’ of the Youth Allowance.
by Senator Ronaldson (from 158 citizens)
Petitions received.

NOTICES
Presentation
Senator Barnett to move on the next day of sitting:
That the time for the presentation of reports of the Legal and Constitutional Affairs References Committee be extended as follows:
(a) Australia’s judicial system and the role of judges—to 17 September 2009; and
(b) access to justice—to 30 October 2009.
Senator Crossin to move on the next day of sitting:
That the time for the presentation of the final reports of the Legal and Constitutional Affairs Legislation Committee be extended to 20 August 2009:
(a) Migration Amendment (Immigration Detention Reform) Bill 2009; and
(b) provisions of the Personal Property Securities Bill 2009.
Senator Hanson-Young to move on 19 August 2009:
That the Senate—
(a) notes that:
(i) 15 August 2009 was the 64th anniversary of the conclusion of World War II, and
(ii) during the war up to 200 000 women and girls were forced into sexual slavery by the Japanese military and kept in ‘comfort stations’;
(b) recognises that:
(i) the Japanese ‘comfort women’ have yet to receive an apology or any official acknowledgement of the grave human rights abuses that were suffered at the hands of the Japanese military, and
(ii) since 2007, the United States of America, the Netherlands, the United Kingdom, Canada, the European Union (with 27 member countries), South Korea, Taiwan and three city councils in Japan have all passed similar motions calling on the Japanese Government to accept full responsibility and apologise for the abuses of comfort women; and
(c) calls on the Australian Government to urge the Japanese Government to:
(i) accept full responsibility for the abuses of comfort women,
(ii) officially apologise for the crimes committed against the women,
(iii) provide adequate compensation to comfort women or their immediate families, and
(iv) accurately teach the history of comfort women in schools.
Senator Siewert to move on 17 August 2009:
That there be laid on the table by the Minister representing the Minister for the Environment, Heritage and the Arts (Senator Wong) by 20 August 2009, the Australian Terrestrial Biodiversity Assessment 2008 and all documents used in its preparation, including drafts.
Senator Humphries to move on the next day of sitting:
That the Senate—
(a) notes the June 2009 report of the Community Affairs References Committee, Lost innocents and forgotten Australians revisited: Report on the progress with the implementation of the recommendations of
(b) notes, in particular, recommendation 1 of the report, which recommends ‘that the Commonwealth government issue a formal acknowledgement and expression of regret to former child migrants in accordance with recommendation 30 of the Lost Innocents report; and that this statement be issued in conjunction with, or as a part of, a broader Commonwealth apology to people who experienced abuse and/or neglect in institutional or out-of-home care as children’ and recommendation 2 which recommends ‘that the Commonwealth government issue a formal statement of acknowledgement and apology to children who suffered hurt and distress, or abuse and assault, in institutional care, in accordance with recommendation 1 of the Forgotten Australians report’; and

(c) calls on the Prime Minister (Mr Rudd) to personally make the expression of regret and apology called for by the Community Affairs Committee.

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

That the Senate be aware:

(a) of reports that 200,000 people are held in hard labour concentration camps in North Korea;

(b) that prisoners include people caught listening to foreign radio broadcasts, families of accused persons and those who have failed to show ‘proper respect’ to the President; and

(c) that after 12 to 15 hours work daily, a poor diet, no medical care or proper sanitary conditions, thousands of prisoners have died or are dying,

calls on the Minister representing the Minister for Foreign Affairs to report to the Senate within one month, with a full account of all knowledge available on this issue.

Senator Ludlam to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) Daw Aung San Suu Kyi was sentenced to a further 18 months of house arrest in Burma on 11 August 2009,

(ii) this sentence will prevent her from participating in the proposed 2010 elections, and

(iii) the constitution establishing election procedures is fundamentally flawed and fails to achieve basic democratic standards; and

(b) calls on the Australian Government to investigate all possible options for progressing a United Nations Commission of Inquiry into war crimes and crimes against humanity in Burma.

Senator Bob Brown to move on 18 August 2009:

That the Senate—

(a) condemns the murder of Russian human rights campaigner, Ms Natalya Estemirova; and

(b) supports transparent debate on human rights abuses in Chechnya that is free from intimidation or violence.

Senator Bob Brown to move on 17 August 2009:

That the Senate calls on the Australian Government to promote with Beijing an act of self-determination for the Uighur people of East Turkistan (Xinjiang Province, China).

COMMITTEES
Selection of Bills Committee

Senator O’BRIEN (Tasmania) (3.35 pm)—I present the 11th report of 2009 of the Selection of Bills Committee.

Ordered that the report be adopted.

Senator O’BRIEN—I seek leave to have the report incorporated in Hansard.

Leave granted.
The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 11 OF 2009

1. The committee met in private session on Tuesday, 11 August 2009 at 7.09 pm.

2. The committee resolved to recommend—
   That—
   (a) the Banking Amendment (Keeping Banks Accountable) Bill 2009 be referred immediately to the Economics Legislation Committee for inquiry and report by 24 November 2009 (see appendix 1 for a statement of reasons for referral); and
   (b) the Trade Practices Amendment (Guaranteed Lowest Prices—Blacktown Amendment) Bill 2009 be referred immediately to the Economics Legislation Committee for inquiry and report by 24 November 2009 (see appendix 2 for a statement of reasons for referral).

3. The committee resolved to recommend—
   That the following bills not be referred to committees:
   • Aviation Transport Security Amendment (2009 Measures No. 1) Bill 2009
   • National Health Security Amendment Bill 2009

The committee recommends accordingly.

(Kerry O’Brien)
Chair
12 August 2009

APPENDIX

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Banking Amendment (Keeping Banks Accountable) Bill 2009

Reasons for referral/principal issues for consideration:
Interest rates have an enormous impact on Australian households. It is important to ensure that banks are held accountable in how they set interest rates.

Possible submissions or evidence from:
Commonwealth Banks of Australia, Westpac Banking Corporation, Australian and New Zealand Banking Group, National Australia Bank, Reserve Bank of Australia, Australian Government Treasury Department, Real Estate Institute of Victoria

Committee to which bill is to be referred:
Economics Legislation Committee

Possible hearing date(s):
Hearings in Melbourne, Sydney, Canberra, etc.

Possible reporting date: 26 October 2009
(signed)
Stephen Parry
Whip / Selection of Bills Committee member

APPENDIX 2

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Trade Practices Amendment (Guaranteed Lowest Prices—Blacktown Amendment) Bill 2009

Reasons for referral/principal issues for consideration:
To consider impact of Bill on business and consumers, and interaction with existing competition laws.

Possible submissions or evidence from:
Small and large retailers, business groups, academics, consumer groups (including monitor’s observations.

Committee to which bill is to be referred:
Economic Legislation Committee

Possible hearing date(s):
Possible reporting date:
24 November 2009.
(signed)
John Williams
Whip / Selection of Bills Committee member

Committee Reference

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citi-
zenship) (3.36 pm)—I ask that matter of privilege notice of motion No. 1, which moves that matters be referred to the Committee of Privileges for inquiry and report, be taken as a formal motion.

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

Senator Minchin—Yes.

The DEPUTY PRESIDENT—There is an objection.

60TH ANNIVERSARY OF THE GENEVA CONVENTIONS

Senator LUDWIG (Queensland—Special Minister of State and Cabinet Secretary) (3.37 pm)—At the request of Senator Faulkner, I move:

That the Senate—
(a) notes the 60th anniversary of the Four Geneva Conventions of 1949;
(b) congratulates the International Red Cross and Red Crescent Movement for continuously fostering the principles of international humanitarian law to limit human suffering in times of armed conflict and to prevent atrocities, especially against civilian populations, the wounded and prisoners of war;
(c) recalls Australia’s ratification of the Conventions and of the two Additional Protocols of 1977;
(d) affirms all parliamentary measures taken in support of such ratification;
(e) encourages the fullest implementation of the Conventions and Additional Protocols by the military forces and civilian organisations of all States;
(f) encourages ratification by all nations of the Conventions and Additional Protocols; and
(g) recognises the extraordinary contribution made by many individual Australians, including Australian Red Cross members, volunteers and staff, in carrying out the humanitarian ideals expressed in the Conventions and Additional Protocols.

Question agreed to.

COMMITTEES

National Capital and External Territories Committee

Meeting

Senator O’BRIEN (Tasmania) (3.37 pm)—At the request of the Chair of the Joint Standing Committee on the National Capital and External Territories, Senator Lundy, I move:

That the Joint Standing Committee on the National Capital and External Territories be authorised to hold public meetings during the sittings of the Senate from 12.30 pm to 2 pm, to take evidence for the committee’s inquiry into the changing economic environment in the Indian Ocean Territories, on Wednesday, 19 August 2009, Wednesday, 9 September 2009 and Wednesday, 16 September 2009.

Question agreed to.

Foreign Affairs, Defence and Trade Committee: Joint Meeting

Senator O’BRIEN (Tasmania) (3.37 pm)—I move:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Thursday, 13 August 2009, from 10 am to 11.30 am, to take evidence for the committee’s inquiry into human rights mechanisms and the Asia-Pacific.

Question agreed to.

Environment, Communications and the Arts References Committee

Reference

Senator WILLIAMS (New South Wales) (3.38 pm)—I seek leave to amend business of the Senate notice of motion No. 2 standing in my name for today.
The DEPUTY PRESIDENT—Is leave granted?

Senator O’Brien—I am not sure. I have not been advised of this proposal. It would be useful if there were some consultation.

The DEPUTY PRESIDENT—I remind senators that standing order 66(3) says that, if formality is sought, a formal motion shall be put without debate and without amendment. Senators can get leave. Leave can be granted for anything. But I remind senators of that standing order, because I think there has been a tendency in recent times for that not to be done.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (3.38 pm)—Mr President, I seek leave to make a very short statement.

The DEPUTY PRESIDENT—Leave is granted for two minutes.

Senator CHRIS EVANS—I indicate on behalf of the government that, if Senator Williams wants to delay his motion, we will grant leave for it to come back later on. That would give us a chance to look at his amended motion so that we can facilitate the business of the Senate. If he would like to show it to Senator O’Brien in the meantime, we would certainly come back to it.

The DEPUTY PRESIDENT—Do you agree with that, Senator Williams?

Senator Williams—Yes, I agree with that.

FEDERAL COURT OF AUSTRALIA REGISTRY SERVICES IN TASMANIA

Senator ABETZ (Tasmania) (3.39 pm)—Senator ABETZ, (Tasmania) (3.39 pm)—I, and also on behalf of Senator Bob Brown, move:

That the Senate calls for the full retention by the Federal Court of Australia of its registry services in the State of Tasmania.

Question agreed to.

INTERNATIONAL YOUTH DAY

Senator HANSON-YOUNG (South Australia) (3.40 pm)—I move:

That the Senate—

(a) notes that 12 August 2009 marks the ninth anniversary of the United Nations International Youth Day, with the 2009 theme ‘Sustainability: Our Challenge. Our Future.’;

(b) recognises that:

(i) in our global challenge to tackle climate change, it is our young people, especially those in developing countries and the Pacific Islands, whose future is at stake, and

(ii) we need a commitment to strong emission reduction targets to protect our future generations; and

(c) calls on the Government, on International Youth Day, to commit to targets that deliver real action on climate change, and not leave our future generations burdened with mistakes of inaction.

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (3.40 pm)—Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT—Leave is granted for two minutes.

Senator JOYCE—Obviously, our colleagues in the Greens know the National Party’s position on this issue. We have a strong belief that an emissions target delivered by this government will have no effect on the global climate. Calling on the government to commit to targets that deliver real action will, I think, also have huge effects on many regional economies and would mean the decimation of everything from coal, to beef through to sheep. How that transpires will be reflected in the grocery bills of so many Australian working families. At this point in time, we are talking about a gesture that will deliver nothing in terms of bringing about an outcome that will change the globe.
There is not one person who believes that something done solely by Australia will change the temperature of the globe; therefore, as a gesture, it will be no more effective than were we to all parade outside right now and apologise to the clouds. Although we do not wish to divide on this motion, we want to clearly put our intentions before the Senate. We do not support it.

Question agreed to.

COMMITTEES
Economics References Committee

Senator Barnett (Tasmania) (3.42 pm)—I move:

That the following matter be referred to the Economics References Committee for inquiry and report by 26 October 2009:

The establishment, management, operation and closure of the GROCERYchoice website and, in particular:

(a) the rationale and purpose for the website as stated by the Government before the 2007 election;

(b) the business plan, modelling or plans formulated by the Government or the Australian Competition and Consumer Commission (ACCC) to establish, manage, operate and close the website;

(c) the problems and issues faced by the ACCC in establishing, managing and operating the website, as well as in handing the website over to Choice;

(d) the rationale for the ACCC ceasing to manage and operate the website;

(e) the level of usage of the website while it was managed and operated by the ACCC;

(f) the proposal Choice put to the Government to take over the website and the reasons why the Government was persuaded that taxpayers would receive value for money;

(g) the problems and issues faced by Choice in establishing, operating and relaunching the website;

(h) the contract arrangements with Choice and the various contractors involved with Choice’s and the ACCC’s management and operation of the website;

(i) the legal issues and trade practices concerns arising from the establishment, management, operation and closure of the website;

(j) the specific concerns of the major chains and independent retailers;

(k) the total cost to the taxpayer in establishing, managing, operating and closing the website; and

(l) any other matters incidental thereto.

Senator O’Brien (Tasmania) (3.42 pm)—Mr President, I seek leave to make a very brief statement.

The Deputy President—Leave is granted for two minutes.

Senator O’Brien—The government opposes this motion. We recognise that the numbers in the chamber deem that it will succeed and we will therefore not call a division.

Question agreed to.

CHINA

Senator Bob Brown (Tasmania—Leader of the Australian Greens) (3.43 pm)—I seek leave to amend general business notice of motion No. 501.

Leave granted.

Senator Bob Brown—I move the motion as amended:

That the Senate—

(a) notes the violent unrest in Xinjiang province in China on 5 July 2009 in which up to 200 people died, according to official reports; and

(b) calls on the Government to seek assurances from the People’s Republic of China that human and political rights are upheld,
as under the Chinese Constitution and international law.

Question agreed to.

NOTICES

Withdrawal

Senator XENOPHON (South Australia) (3.44 pm)—I seek leave to make a short statement before withdrawing a motion.

Leave granted.

Senator XENOPHON—I wish to withdraw Business of the Senate notice of motion No. 1 standing in my name for today proposing a reference to the Standing Committee of Senators’ Interests on the accountability regime in relation to sponsored travel, accommodation and hospitality. I have had discussions with Senator Ludwig in relation to this matter on behalf of the government’s position. They have indicated to me that they will not support it. The government have said that they see merit in the proposal but they do not support the mechanism included for developing the proposal. Their position is that it ought to be a matter to be referred to the Procedures Committee. I understand that the opposition has a similar view, therefore the numbers are against me. I note that the Greens were prepared to support my approach, and I am very grateful for that support. I relied on the good advice of the Clerk’s Office in respect of this motion that the Senators’ Interests Committee was the most appropriate committee for this to go to. But it seems abundantly clear that I do not have the numbers and I will take the advice of Senator Ludwig, and indeed the opposition, to push for reform via the Procedures Committee. I withdraw the motion.

COMMITTEES

Environment, Communications and the Arts References Committee

Reference

Senator WILLIAMS (New South Wales) (3.46 pm)—I seek leave to amend business of the Senate notice of motion No. 2 standing in my name.

Leave granted.

Senator WILLIAMS—I move the motion, as amended:

That—

(1) The following matters be referred to the Environment, Communications and the Arts References Committee for inquiry and report by 26 October 2009:

(a) the potential impacts of current and projected mining operations on all environmental values in the Murray-Darling Basin and, in particular, the potential impacts upon surficial and groundwater flows and quality in the alluvial flood plains at its headwaters in the Namoi Valley and the Darling Downs catchments; and

(b) evaluation of the potential impacts in the context of the Murray-Darling Plan and agricultural productivity.

(2) In these terms of reference, ‘mining operations’ includes all minerals exploration and all minerals extraction including exploration for and extraction of gas.

Question agreed to.

Scrutiny of Bills Committee

Report

Senator PARRY (Tasmania) (3.47 pm)—On behalf of Senator Coonan, I present the eighth report of 2009 of the Standing Committee for the Scrutiny of Bills. I also lay on the table the Scrutiny of Bills Alert Digest, No. 9 of 2009, dated 12 August 2009.

Ordered that the report be printed.
Senator PARRY—I move:

That the Senate take note of the report.

I seek leave to have the tabling statement incorporated in Hansard.

Leave granted.

The statement read as follows—

In tabling the Committee’s Alert Digest No. 9 of 2009 and Eighth Report of 2009, I draw the Senate’s attention to the substantial number of ‘Henry VIII’ clauses in some of the bills discussed in the Alert Digest, particularly the National Consumer Credit Protection Bill 2009.

Since its establishment, the Committee has consistently drawn attention to ‘Henry VIII’ clauses and other provisions which (expressly or otherwise) permit subordinate legislation to amend or take precedence over primary legislation. Such provisions clearly involve a delegation of legislative power and are usually a matter of concern to the Committee under principle (1)(a)(iv) of its terms of reference.

The extent to which ‘Henry VIII’ clauses have been used to change powers, entitlements and obligations conferred by the principal legislation in the National Consumer Credit Protection Bill is of particular concern. The bill contains so many ‘Henry VIII’ clauses that it has not been possible for the Committee to provide commentary in relation to all of them.

The Committee has necessarily focused its commentary on those ‘Henry VIII’ clauses in the bill that have not been accompanied by any explanations for their need in the explanatory memorandum. Where the need and justification for the clauses have been explained in the explanatory memorandum – noting, in this context, that the bill gives effect to COAG agreement – the Committee has not made any specific comments.

The Committee has also commented on the use of ‘Henry VIII’ clauses (and, in some cases, the use of other broad regulation-making powers which enable the determination of significant matters in delegated legislation) in the National Consumer Credit Protection (Transitional and Consequential Provisions) Bill 2009, the Australian Wine and Brandy Corporation Amendment Bill 2009, the Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009, the Corporations Legislation Amendment (Financial Services Modernisation) Bill 2009, and the Personal Property Securities Law Bill 2009.

The Committee does not condone the use of ‘Henry VIII’ clauses as a standard drafting practice, even in cases where the explanatory memorandum provides reasons for that use. The Committee certainly accepts these clauses in some circumstances. For example, regulations may provide for the modification of provisions in a principal Act regarding transitional, application or saving matters to facilitate a smooth transition from an old scheme to a new scheme. The Committee considers that this type of provision may be necessary to deal with unexpected or minor transitional matters arising after the relevant Act has passed.

However, the current practice of using regulations to potentially alter fundamental functions, powers, obligations, entitlements and rights conferred by a principal piece of legislation is cause for concern to the Committee. Accordingly, the Committee is of the view that the appropriateness of such a legislative approach should be considered in due course by the Senate as a whole.

I commend the Committee’s Alert Digest No. 9 of 2009 and Eighth Report of 2009 to the Senate.

Question agreed to.
which was held in Kiribati from 7 to 14 July 2009.

COMMITTEES
Privileges Committee
Reference

Senator CHRI$ EVANS (Western Australia—Leader of the Government in the Senate) (3.49 pm)—On behalf of the government I move:

That the following matters be referred to the Committee of Privileges for inquiry and report:

In relation to the hearing of the Economics Legislation Committee on 19 June 2009 on the OzCar program:

(a) whether there was any false or misleading evidence given, particularly by reference to a document that was later admitted to be false;

(b) whether there was any improper interference with the hearing, particularly by any collusive prearrangement of the questions to be asked and the answers to be given for an undisclosed purpose,

and, if so, whether any contempt was committed in that regard.

These are very important matters for the Senate and we think that they ought to be dealt with seriously and appropriately by the Senate. As you know, Mr Deputy President, the term ‘parliamentary privilege’ refers to two significant aspects of the law relating to parliament: the privileges or immunities of the houses of parliament and the powers of the houses to protect the integrity of their processes. These immunities and powers are very extensive and are deeply ingrained in the history of free institutions such as the Australian parliament.

The law of parliamentary privilege is particularly important for the Senate because it is the foundation of the Senate’s ability to perform its legislative function with the appropriate degree of independence of the House of Representatives and of the executive government which controls that House. Parliamentary privilege exists for the purpose of enabling the Senate effectively to carry out its functions, which are to inquire, to debate and to legislate. The Privileges Committee, as we know it, was created in 1965 to enable the Senate to deal speedily with any questions of privilege. A reference to the Privileges Committee of the matters relating to the hearing of the Economics Legislation Committee on 19 June 2009 at which witnesses were examined about the OzCar program, is the appropriate and proper approach to ascertain all of the facts in this matter.

There are two main grounds that form the basis of the government’s motion, and I have just outlined those: whether there was false or misleading evidence given and whether there was any improper interference with the hearing—and, of course, as a result, whether any contempt was committed. The Privileges Committee is the forum to resolve these issues and to determine whether any contempt of Senate procedures was committed. It is a process we have had since 1965. It is a process that has served us well. The Senate Privileges Committee has always taken extremely seriously any suggestion that misleading evidence has been given to a committee. The Privileges Committee has made it clear that any evidence which leaves a committee with a misleading impression of the facts or circumstances could be seen as misleading evidence. As I have outlined, the government believes that these circumstances raise the issues of whether false or misleading evidence was given to the committee and whether or not the Senate, the committee and the public were misled.

I refer the Senate to paragraph 12 of the Senate privileges resolution No. 6 setting out matters which may constitute contempt. It provides:
A witness before the Senate or a committee shall not:

... ... ...

(c) give any evidence which the witness knows to be false or misleading in a material particular, or which the witness does not believe on reasonable grounds to be true or substantially true in every material particular.

As noted by the President in ruling, the Senate and the Privileges Committee treat very seriously any suggestion of misleading evidence having been given to a committee. The Senate has a history of only referring serious matters to the Privileges Committee. The parliament and the Australian public expect us to protect the integrity of the Senate committee process. As I say, this government takes that function very seriously.

I do not intend to go through the detail of the OzCar affair. It has been canvassed at great breadth and length in the media and in political debate in this country. I think it is fair to say, though, that by any assessment it has been an extraordinary affair. I think in the history of the Australian parliament it will be seen as one of the most extraordinary events that have occurred inside the parliament. It is not a question now of political claim and counterclaim. It is not a question of political point-scoring. We have now a finding from the Australia Federal Police, a finding of fact that an email that was presented in evidence or used in evidence at that committee was false. There is no question about that. The AFP have found that email to be false. Senator Abetz and Mr Turnbull from the House of Representatives have confirmed meeting and discussing questions and evidence with Mr Grech, the senior public servant. We know that some of that evidence relating to the email was false. We know that the evidence was led in order to incriminate the Prime Minister of this country and bring about his resignation as Prime Minister.

Nothing could be more serious. Nothing could be more serious than the use of false evidence in a Senate committee hearing to try and bring down the Prime Minister of the country. This is not an everyday occurrence; this is very serious. I think it is of very serious concern to all reasonable parliamentarians and all reasonable members of the Australian public. What could be more serious as an issue of abuse of Senate privilege than this? I cannot think of one. There is nothing that has been brought to my attention in the history of the question of privilege in the Senate that rates anywhere near the scale of this incident.

I acknowledge Senator Abetz’s apology, as I did yesterday. I think it was appropriate that he made that. But it does not test his claims, nor does it address the key issues about whether there was a breach of privilege. So while I think it was important that he did it, it does not actually take us further in respect of the issue of privilege.

The Labor Party has had, I think, strong bona fides in this matter. Back in the last session of parliament Senator Ludwig sought to move a motion to have this matter referred to the Privileges Committee. That motion was defeated on the votes of the coalition and Senator Fielding. So an attempt to deal with this properly some months ago was defeated. The government think it important that we try again, and that is why this motion is before us today. I point out that on that occasion, around the same time, Senator Heffernan sought to refer a matter of privilege to the committee. That was a motion by Senator Heffernan that went to whether any action had been taken against Mr Grech as a result of his testimony. His concern was that Mr Grech could be discriminated against because of his testimony. Labor supported that reference. Labor took the view that, while we did not necessarily agree with the claims made by Senator Heffernan, it was an impor-
tant question of privilege and on principle it ought to be referred. So we voted for it. But the opposition and Senator Fielding chose to vote against the reference that we made of the broader issues in the OzCar affair. I think, therefore, our bona fides on this matter are very strong.

I think the bona fides of the Liberal-National Party, the coalition, are at question here. Last week Senator Minchin said on behalf of the opposition that, provided the terms of reference were not highly charged politically and it was not a witch-hunt, the opposition was likely to support the reference. He has stated publicly now that the Liberal Party will not. I do not know why they have changed their position, because quite clearly the terms of reference proposed today are appropriate. They are not partisan. They were drafted by the Clerk to give a proper reference of the matters at stake without any political innuendo or claims against anybody. I think it is important that the Liberal Party change its position and support the motion today, otherwise their bona fides will be in question because they effectively have to argue that this is not a serious matter, that what occurred in the Senate committee hearing was not a serious matter of privilege. I do not think you can argue that case with any credibility at all.

I want to turn to the claim that this has been a witch-hunt. I am not sure that the opposition made that claim when one of their own, Senator Heffernan, moved his reference to the Privileges Committee regarding Mr Grech. It is certainly not a claim we made at the time. In dealing with this attempt to say that this is all a political move, I make a couple of key points. First of all, the Privileges Committee has a proud history in this parliament. I have served on it myself. I have served on it with a number of opposition senators. It has always operated in a bipartisan manner. Senators have operated with goodwill and with proper detachment from their political interests. The history of the Privileges Committee, under the chairmanship of both sides of politics, is a very proud one. The people who have served on that committee have taken their duties and responsibilities very seriously. When I was serving on the committee, I was certainly impressed by senators from all sides in the application of their responsibilities. The history of the Privileges Committee means that people refer matters to it with some confidence that the Privileges Committee will act appropriately and with proper judgment.

The second point is that it would be a very unusual occurrence for me to conduct a witch-hunt by referring a matter to a committee chaired by a member of the opposition. The chair of the committee to which I seek to refer this matter today is Senator George Brandis, a member of the frontbench of the coalition. Allegedly, I am conducting a witch-hunt by asking Senator Brandis, as chair of the committee, to inquire into these very serious matters. That is clearly a nonsense.

Senator Parry—It has a Labor majority.

Senator CHRIS EVANS—There is a Labor majority, Senator, as has always been the case—a government majority and a non-government chair, but the chair of the committee is a frontbench opposition senator. So the charge is that somehow, by inviting or requiring Senator Brandis to head an investigation into this matter, we are conducting a witch-hunt. What arrant nonsense. What we are doing is asking the appropriate body to inquire into a very serious matter, a matter considered serious by all in this parliament. This really does serve as a challenge to the Liberal and National parties. There is a question as to whether they can detach themselves from what they see as their partisan political interests, or their fear of what might
occur after a proper examination of this issue, and act responsibly as senators and members of this parliament. You cannot deny the seriousness of this issue. You cannot deny that there are questions of privilege at stake.

We have had the most extraordinary event of misleading evidence, of reference to false documents, of meetings between senior public servants and senators participating in the inquiry, where the nature of the questions and the answers were discussed. Whoever is at fault, whoever initiated these things is a question for the Privileges Committee to examine. I make no comment on it, but we have serious disagreement between key players and we have proof that at the heart of these allegations is a false document. We know that this was designed to bring down a Prime Minister of this country. This is as serious as it gets, in my view, in terms of abuse of Senate practice and procedures. It is absolutely a matter that ought to go to the Privileges Committee. If the opposition thought that Senator Heffernan’s reference—one which went to whether or not there had been any discrimination against Mr Grech following his evidence—was serious enough to be supported, I ask them: how can they now say that these matters are not serious enough? They cannot, because clearly they are serious enough. I urge them to take the responsible action and support this motion.

I thank the Greens and Senator Xenophon for their support when we attempted to do this before. They rightly saw that this is an issue the Senate has to deal with. In the last couple of days I have spoken to Senator Fielding about this—he did not vote with us on the previous occasion. I would urge him to do so on this occasion. While there was a lot of evidence about at the time, there is no doubt that more evidence has come to light and there has been more focus on the issues at stake. Since the Auditor-General’s report, both Mr Turnbull and Mr Abetz have made statements which clarify some of the issues and present their side of the story. Despite his position last time, I would urge Senator Fielding to support this motion.

I have indicated that I will not speak at length to the next motion, which Senator Fielding proposes. The government will not be supporting Senator Fielding’s motion. We think an attempt to link Senator Conroy and some incident that occurred back in October 2008 is ridiculous. An incident 10 months ago, on which no action and no commentary has been made, is now sought to be rolled in to a serious reference on matters relating to the OzCar inquiry. Clearly, in my view, it is nonsense. If concerns existed about what occurred at the economics committee between Senator Conroy and Senator Cameron, people had 10 months to raise concerns, yet no concerns were raised—because at the heart of the suggestion about Senator Conroy’s action is a suggestion that he might have been organising a dorothy dixer. If we are going to take action against everyone who participates in the organisation or delivery of an answer to a dorothy dixer in this parliament, there will not be many of us left. It is clearly ridiculous. It is clearly of a very different order to suggest that somehow these events are linked or that the behaviour or issues at stake are similar—that is clearly not right.

We had an incident today in the Senate where Senator Cormann wanted a serious answer to a serious question, where he gave notice to Senator Ludwig, representing the Minister for Health and Ageing—perfectly appropriate. Senators on the crossbenches have done it to ensure that the minister is aware of the issues that they want an answer to. To suggest that somehow these events are linked or that the behaviour or issues at stake are similar—that is clearly not right.
the issues at stake is just unable to be supported. There is no logic to that. I will not allow Senator Conroy’s name to be besmirched by having him dragged into this.

What the Senate has before it now is a proper, serious reference going to the protection of Senate privilege. We are asking, like we did with Senator Heffernan’s motion, that we refer matters of concern that arose out of that economics committee hearing to the Privileges Committee to inquire into, to resolve what occurred and to decide whether any action is required by the Senate. That is normal, appropriate, proper Senate practice. That is what I seek to do today and that is what I seek the Senate’s support on. I think to do otherwise effectively ends the practice of upholding Senate privilege in this country.

If we do not refer this matter, if we do not take this matter seriously, where will the high bar be? What will you have to do to warrant a reference to the Privileges Committee? What could possibly be more serious, short of some form of violence or murder?

This is a matter where there was proof of false documentation being used. There was an attempt to bring down the Prime Minister of the country. We know there were discussions with witnesses about the evidence they were to lead and the answers they were to give and organisation around those matters. That is as serious as it gets, in my view, and it is a matter that the Senate ought to deal with. I am sure the Senate Privileges Committee, under Senator Brandis, can deal with that properly, adequately and with professionalism. I would hope that the Liberal Party would support him in doing that. I know the process will not work if the Liberal Party sets out to destroy it. This Senate works on cooperation. This Senate works on proper behaviour by all senators. We know how easy it is to overturn the processes of the Senate. One senator can do it, let alone a whole opposition. So this is, in my view, an issue that goes to the leadership of the Liberal and National parties. Whether this is passed not, the position they take reflects, I think, a very partisan view that they will regret.

What we should see is the appropriate reference of this to the Privileges Committee, an upholding of the practices and processes which we have all relied on and will continue to need to rely on if we are to function appropriately. I urge the opposition to support the motion and to commit themselves to an appropriate inquiry, led by their own Senator Brandis, which will look at these issues seriously and report back to the Senate. I hope the Privileges Committee can do its work in the same professional manner that it always has done. I urge the Senate to support the motion.

Senator MINCHIN (South Australia) (4.10 pm)—The Senate has before it two motions to refer matters to the Privileges Committee concerning an inquiry by the Senate Economics Legislation Committee into the OzCar legislation on 19 June. I place on record the strong opposition of the coalition to either reference proceeding. I give notice that the coalition will be voting against the references of both Senator Evans and Senator Fielding. We are not persuaded by the case put by Senator Evans this afternoon, which, while valiantly attempting to rise above base party politics, cannot disguise that from the point of view of the Labor Party this is nothing more than an attempt to squeeze the lemon dry in relation to the OzCar matter for base partisan purposes. It is, at the end of the day, nothing more than an abuse of the Privileges Committee of this Senate to pursue a partisan agenda by the Labor Party to get Senator Abetz. It is nothing more or less than that.
I would like to detail the specific reasons why the coalition is opposed to these two references that we have before us today. I note, as Senator Evans has done, that the Privileges Committee already has before it a reference in relation to the Senate Economics Legislation Committee’s hearing on 19 June. That was a motion brought independently to the Senate by Senator Heffernan, unanimously supported by the Senate, in relation to what he saw—and I think the Senate thought so too—as the maltreatment of a witness before a Senate Economics Legislation Committee hearing, to wit, Mr Grech. That is the basis upon which the committee thought this matter should be referred. That was, as I said, a matter brought by Senator Heffernan of his own volition but supported by the parliament.

I think it was appropriate, because what we are dealing with in relation to privilege is the issue of undue influence being placed upon a witness or, by external forces, upon a senator in the conduct of their activities. These are serious matters, as Senator Evans properly said. It is appropriate that, if a witness like Mr Grech has been interfered with, the matter be investigated. Senator Heffernan has provided further evidence of the treatment of Mr Grech to the President in relation to the inquiry already before the Privileges Committee. It is our position that that inquiry should be allowed to run its course, in pursuit of what is the proper role of the Privileges Committee, to see if there has been any interference improperly exercised upon a witness to a Senate committee. The references of Senator Evans and Senator Fielding do not by any stretch of the imagination fit that criterion.

Further to that first point, we state that there has been no prima facie case made to the Senate to warrant any further reference of this matter. I have to say that it is my understanding—and, I think, a proper one—that Privileges Committee inquiries should be based upon specific allegations in relation to specific acts that, it is contended, could amount to contempt. That is not met in relation to either of these references. Both are drawn up so broadly as to be nothing more than fishing expeditions. It is not appropriate for the Privileges Committee to embark upon a fishing expedition into whether anything occurred in any particular hearing that might possibly constitute contempt. I do not see how the Privileges Committee can possibly operate unless there is a very specific act cited to which the committee is referred and then asked to inquire into to see whether it constitutes a matter of privilege. That should then form the body of a recommendation to the Senate.

I remind the Senate of the following statement in *Odgers*:
The record ... shows that the Senate’s investigation of privilege matters has been confined to serious matters potentially involving significant obstruction of the Senate, its committees or senators.
The Privileges Committee ... regards a culpable intention on the part of the person concerned as essential for the establishment of a contempt.
It is serious, as Senator Evans properly said, but no evidence has been adduced today that there is any specific act that comes close to meeting the prima facie requirement placed upon the Senate before it makes a reference to the Privileges Committee. It simply does not add up and we should not be setting the Privileges Committee on a fishing expedition of this kind.

Thirdly, I would state on our behalf that both Mr Turnbull and Senator Eric Abetz, who are the objects of this partisan attempt by the Labor Party to abuse the Privileges Committee, have given a joint and full explanation of the circumstances surrounding the evidence given by Mr Godwin Grech to that Senate Economics Legislation Commit-
tee on 19 June. They have both subjected themselves to a full press conference. They have both detailed exactly what occurred.

Senator Abetz, to his great credit, also delivered a full and complete statement to this Senate at the earliest opportunity setting out the facts on this matter. May I say to this Senate that, as far as the whole coalition is concerned, Senator Abetz has acted with complete integrity in relation to this matter and he has at all times acted in the honest belief in the accuracy of the evidence with which he was being presented. The coalition stands full square behind Senator Abetz and in support of his actions in relation to this matter and we will not cooperate in a partisan attempt by the Labor Party to get Senator Abetz.

Senator Abetz operated, as I said, in the honest belief that the evidence he was being presented with to warrant an inquiry by the economics committee into the OzCar matter was factual evidence. He had no reason at all to believe that there was anything improper about the evidence being presented to him. That was the statement made by Mr Grech, the man who was actually in charge of this OzCar scheme and a man who, to this day, continues to contend that in fact there was contact between the Prime Minister’s office and himself in relation to this matter.

In our view, there is absolutely nothing in anything that Mr Turnbull or Senator Abetz has said to warrant so serious a move as to refer this matter to the Privileges Committee. Indeed the partisan nature of this is revealed in the letter by Senator Evans to the President where he asserts ‘an agreement between Mr Turnbull, a senator and a witness to create an inquiry’. We know what this is all about. This is specifically designed by the Labor Party to have a go at the current Leader of the Opposition and the Deputy Leader of the Opposition in the Senate. Frankly, the moralising from the ALP on this matter is nauseating.

As someone who was a minister for 10 years, and therefore must have attended some 30 hearings of estimates in my time as a minister, it was obvious to me, on almost all those occasions, that the Labor senators were in receipt of material leaked from the Public Service to enable them to conduct inquiries and ask questions at Senate estimates. I defy the Labor Party to deny that occurred. Of course it occurred. Of course we were conscious that that occurred. I never ceased to be amazed by the sorts of information which Labor senators seemed to have to hand and, as a minister, was conscious that that information could only have come from leaks from the Public Service. So we on this side will not subject ourselves to the moralising from the Labor Party on this matter.

Fourthly, I want to note that the suggestion inherent in these motions, that somehow senators should not talk to witnesses or discuss their evidence prior to committee hearings, is idiotic. The Clerk has given a variety of opinions on this matter, not all of which we would necessarily agree with—they are just his personal opinions—but he does state quite clearly in his letter to me of 5 August on this matter:

There is nothing to prevent a senator or any other person discussing a witness’s evidence with the witness before a hearing.

We say that is absolutely correct and any other interpretation would make the Senate and the Senate committee system completely and utterly unworkable. This place could not function if there were not the opportunity for citizens of this country to come to senators to discuss matters they thought were serious enough to warrant inquiry at Senate committees—to discuss with senators those matters, lines of questioning and their knowledge of
the matters before them to enable questions to be asked at Senate committee hearings.

Again, as I say, as someone who was a minister for 10 years, there was always, before every one of the 30 estimates I appeared at as a minister, a long session with Public Service officials in which I was involved. In those sessions there would be a healthy and vigorous discussion with the Public Service officials, prior to the estimates hearings, of the sorts of questions that we might expect from senators appearing at those hearings, the sorts of answers Public Service officials might give and the sorts of answers that I as a minister might give. Of course that goes on. We know that public officials get professional training in how to handle questions at estimates, for goodness sake. We know that happens under this government—and so it should. There is no other way that this system can work. I urge the Senate to understand the Pandora’s box that it may be opening if it pursues this path of inquiry, through what we call an abuse of the Senate Privileges Committee.

I say, finally, that this is an abuse of the Privileges Committee. The motion seeks to have a committee which is controlled by the Labor Party—the Privileges Committee has a four to three majority in favour of the Labor Party—conduct what we continue to assert is nothing more than an attempt to get Senator Abetz. I find that quite objectionable.

Senator Abetz has quite honestly said that he was, in a sense, a victim of something that could happen to any one of us, where a very credible witness comes to a senator and says, ‘I have evidence which is of a very serious nature going to public administration in this country and I think it is a matter that should be pursued at a committee hearing.’ As Senator Abetz has honestly said, to the extent that anyone should suggest there was any coaching, then indeed the witness in this case, Mr Grech, was coaching Senator Abetz. There is no evidence to the contrary whatsoever and none has been adduced or suggested in this case. Mr Grech came to Senator Abetz, said he had received contact and showed Senator Abetz a document—an email—which was evidence of this contact. A line of questioning was discussed and put to Senator Abetz and that was pursued.

In this case Senator Abetz—and I hope everybody in this chamber would accept the integrity of Senator Abetz—acted in good faith and with great integrity in relation to that matter and had no reason to doubt the evidence that was being put before him. I do agree with Senator Evans that the Privileges Committee has to this point operated in a genuine and apolitical manner. I think that will be put seriously at risk if either of these references is agreed to today and put to that committee. The future functioning of the Privileges Committee could be put seriously at risk and I reject the accusation that there has been some change of position.

It is proper for an opposition to say that they are prepared to consider any matter put before them and to suggest an inquiry by any committee. It would be idiotic and quite irresponsible to just, in a knee-jerk fashion, reject any suggestion of an inquiry by a committee. So, of course, we are prepared to consider it. But we have seen what has been put up and it is quite clear to us that (a) it is a fishing expedition being put before the Privileges Committee and (b) it has only one purpose, and that is to continue a Labor Party attack on the opposition in relation to OzCar and to squeeze the lemon dry rather than the government getting on with the job of governing the country.

If I may use this opportunity to refer to Senator Fielding’s motion, I at least acknowledge that Senator Fielding is trying to bring some balance to this matter. I think he
does acknowledge and understand what the Labor Party is trying to do and does want to bring some balance to the matter by referring to the very embarrassing footage that we saw on Channel 7, repeated recently, of Senator Conroy emailing questions to Senator Cameron in an estimates hearing. I have to say that Senator Conroy, whose defence I would not normally leap to with great agility, has in this case been somewhat sloppy but in my view has done nothing at all that would warrant so serious a response as to suggest that it is something that the Privileges Committee should consider. That, with great respect, through you Mr Acting Deputy President to Senator Fielding, is not what the Privileges Committee is about. It is not about pursuing Senator Abetz nor is it about pursuing Senator Conroy for being caught out in this case.

I am happy to confess that in government, of course, we gave Senate government backbenchers questions to ask in Senate estimates. And, of course, that is what the Labor Party does. In many cases it was fairly obvious to everybody where the questions came from. It is certainly not something that should go to a Privileges Committee. All governments do it and all governments will continue to do it. If we are going to get so precious as to suggest that it not go on I think, as Senator Evans quite properly said, ‘Dixers occur in this place every day and notice is given of questions, and that is part and parcel of the way we operate.’

Finally, in the few minutes remaining, I just want to make a point that does need to be put on the record. It would seem that this Privileges Committee inquiry could not be properly conducted or reach any sensible conclusions on these references, were they to proceed, without evidence from the central character in this matter—that is, Mr Godwin Grech. I do not believe that it is possible for the committee to undertake the task that these motions seek to set before it unless he is able to appear and give evidence. Now, as we all know, Mr Grech is not a well man and, in my view, arguably, not in a position to appear before a Privileges Committee. I do not believe, therefore, that this matter can genuinely proceed, and I think that is in the knowledge of everyone involved. I would ask senators to bear that in mind when they consider how they vote on this matter, because I simply do not see how it can proceed in his absence. I would hope there is no suggestion of him being compelled; I think we all understand his condition.

I would also say in conclusion that I think if, indeed, senators have issues about the conduct of committees—and I note and respect the point made by Senator Brown about the issue of whether or not a committee should be advised if there has been any contact between particular senators and witnesses prior to a meeting; that is a matter that perhaps should be considered—the proper place for those sorts of matters to be considered is the Procedures Committee of the Senate. There may well be issues that arise out of this matter, like the one Senator Brown refers to, that the Procedures Committee should consider. We in the opposition would be quite willing for the Procedures Committee to consider issues arising out of this as to how these committees operate, but I do not believe that anything approaching the seriousness that would warrant a Privileges Committee inquiry has been raised by anyone either in this chamber or in the public arena. On that basis I urge the Senate not to support either of these references.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.28 pm)—The Greens will be supporting this motion and that is because it is a warranted motion for a reference to the Privileges Committee. I find the defence from the Leader of the Opposition in the chamber quite remarkable and, if one were to follow the logic of
that defence, there would hardly ever, if ever, be a reference to the Privileges Committee.

The Privileges Committee is there to ultimately defend truth, honesty and integrity in the proceedings of this chamber, the Senate, and its committees. The matter at hand is an investigation into whether or not the proceedings of the Economics Legislation Committee on 19 June were affected by any false or misleading evidence or deception either of senators or of the committee. The opposition itself says that is so. The Leader of the Opposition has said he made a mistake. Senator Abetz not only has said that he was misled but has apologised in this chamber and to the Prime Minister in the public arena for the events that led to him being misled. Yet the opposition claims this is not a matter that the Privileges Committee should look at.

The Leader of the Opposition’s and Senator Abetz’s own testimony in the public and parliamentary arenas can lead us to no other conclusion than that the Privileges Committee should look at the matter. Senator Minchin has just said that Senator Abetz was a victim. If any senator is a victim—that is, of being misled on the way to serious questionings on serious matters in a Senate committee—surely the Privileges Committee should look at that. How can Senator Minchin say that one of his senior colleagues has been a victim of a process which led to him being misled and that that is not a matter that should be looked at by the Privileges Committee? You have to remember that, as Senator Evans told the chamber just a while ago, this led to the Leader of the Opposition calling for the resignation of the Prime Minister and the Treasurer of this nation. Of course these matters are serious. They strike right at the heart of the integrity—that is, the truth and honesty—that guides deliberations by this Senate, this parliament and its committee system. I have heard no reasoned argument on the facts put by the opposition and its leaders themselves that would countermand these matters being referred to the Privileges Committee.

The second thing is that Senator Minchin has said that this is an attempt by the Labor Party to get Senator Abetz. That is an affront to the Privileges Committee itself. I yesterday moved that a crossbench member be included in the Privileges Committee. The membership of the Privileges Committee has been made up of members of the government and the opposition. The argument we are hearing today is a very strong one that that committee should be properly representative of the make-up of this chamber. It should have a representative from the crossbench on it. The whole division between the government and the opposition points to that necessity. Indeed, it is from the crossbench that one motion we are dealing with today has come. I know that all members of the crossbench have been seriously considering these matters and, indeed, this reference. Whether or not these matters go to the Privileges Committee will be determined by the crossbench. On that matter the government has said it is not going to support Senator Fielding’s motion. The opposition has said it is not going to support the government’s motion.

One looks at the mathematics of the situation in here. For this reference to proceed it will require that the crossbench—as a whole entity—supports the government motion. I point that out before the votes are taken to all my colleagues on the crossbench. It is simply a matter that, if one of us demurs, the reference will not go ahead. That would be illogical. Indeed, it would be all the more illogical given that Senator Fielding, Senator Xenophon and the Greens have all been part of a process of saying, ‘Well, the matter ought to go to the Privileges Committee.’ If it does not go in the exact form that we want then
we will have to accept that. Above all, this matter should and must in my books go to the Privileges Committee.

The Privileges Committee— notwithstanding that it is not properly representative of the modern Senate and the make-up of the modern Senate—has in my 13 years experience in this place acted with great honour. Time and again the findings of the Privileges Committee have not been partisan. The inquiries have not been witch-hunts; they have never strayed.

Senator Minchin—That’s because it has never been abused like this.

Senator Bob Brown—I think that interjection is contrary to your own words, Senator Minchin—if I may, through you, Acting Deputy President. The findings have been imbued with a degree of honour, directness, propriety and balance that I do not think is found anywhere else in the proceedings of the Senate. That is saying something. I believe this chamber should put the matters being debated before the Privileges Committee and let it make up its mind. It is not our job, as Senator Minchin would have it, for us to take away from the Privileges Committee its rightful responsibility to look at this matter. If it determines there is no case, it will come in here and say so.

Finally, this is a Senate chamber where we all have a vote on every matter, including on those matters where we are very seriously involved ourselves. On a previous motion for a reference to the committee, Senator Abetz had a paired vote, which effectively led to the motion failing. Senator Abetz himself has to consider whether or not he should vote on this issue today. I think he should vote on it. I do not think any senator can simply absent themselves from an important matter like this because they are involved. But his vote should be in favour of this reference. If Senator Abetz has nothing to be further worried about, and he has given an apology and an explanation and expressed his regret at what has happened, then the Privileges Committee will hold no worries for him. My advice to Senator Abetz—who is not here at the moment—would be to vote for this reference. That would be the honourable thing to do in these circumstances. Have the air cleared and make sure that this matter does not get voted down by your vote, with all the inferences and implications that necessarily would come with that. That is the best advice I can give to Senator Abetz. I certainly hope this reference proceeds.

Senator Joyce (Queensland—Leader of the Nationals in the Senate) (4.37 pm)—I have an interest in this motion moved by Senator Evans because I was actually on the Senate Economics Legislation Committee inquiry concerned. So I have a duty in that regard, not just as Leader of the Nationals in the Senate. Without being too elusive, I was reminded of my time back at school and ‘sapiens nihil affirmat quod non probat’, which means a wise man states as nothing something he cannot prove. Of course, the Senate committee process is the avenue for trying to prove that, so it should be beyond reason that in that process you will be trying to flesh out the facts.

As a member of that economics committee inquiry I can clearly state that there was absolutely nothing. Although at times I might argue with Senator Abetz—and people on that inquiry, including Senator Cameron, would state that—I would suggest there was nothing nefarious about the actions of Senator Abetz. I can say with my hand on my heart that I was in a place to know if there had been, but there was not. If what I am saying now is not right then I am misleading this Senate and therefore the Senate has the right to kick me out. But as a member of that inquiry who has also been involved in the management within the coalition there is
nothing that I know of that would indicate to me that any part of the actions of Senator Abetz was nefarious—foolish, possibly. If we are going to start kicking people after being foolish, there are not going to be many of us left!

I also indicated that I would be inclined to look at such a process, because we must maintain the dignity of the Senate and we must maintain the authenticity of that process—not for us but for the Australian people. However, I did say that I would not be part of someone pushing a political barrow. However, the first part of the motion is this:

In relation to the hearing of the Economics Legislation Committee on 19 June 2009 on the OzCar program:

Straightaway, we have a political barrow that is about to be pushed. It continues:

(a) whether there was any false or misleading evidence given, particularly by reference to a document that was later admitted to be false;

The only way you are going to be able to prove ‘whether there was any false or misleading evidence given’ is if Godwin Grech turns up. As I stated at the doors every day when the inquiry was on, there is only one person I feel sorry for in this whole thing and that is Godwin Grech. That is still the case, because the man is sick. This whole process relies on him giving evidence; he is the cornerstone if this is what you want to go forward with. Otherwise, going back to ‘sapiens nihil affirmat quod non probat’, there is no way at all that you are going to be able to prove what the truth is. Nobody will be able to prove what the truth is. And, because you will not be able to prove what the truth is, you will turn it into a political barrow to push around. That is a problem.

In this place, much to the disgust of a lot of my colleagues, I think I have proved a number of times that if I believe something is right I will back it up. I strongly considered this, but this is a political barrow. I also concur with one of the remarks made by Senator Bob Brown, that maybe there should be a crossbencher on the Privileges Committee in the future. Obviously, that would require a member of the government to relinquish their position. I see no problem with that. That would make sense. But, on top of crossbenchers, it should also take into account other people in this chamber who show an inclination to do what is right and do not always follow the political line. I think that should also be considered. I think you probably remove yourself from that position when you find that everything you do is always as instructed by a political group.

Returning to the motion, I see (a) as something that cannot be brought about. Part (b) of the motion reads:

(b) whether there was any improper interference with the hearing, particularly by any collusive prearrangement of the questions to be asked …

Once more, you would have to rely on Godwin Grech coming in to be able to prove that, and I do not think that is going to be possible. Also, if we turn to the prearrangement of questions issue, every question time here is a prearrangement of questions. Let us be honest: the whole of question time is a farce. Most of the questions are dorothea dixers, and all of them are prearranged. So, if we are going to knock out prearranged questions there, let us knock them out in here. In fact, I think it would be relevant if the only questions that were asked were the ones that were not prearranged, which are obviously the ones from the opposition benches.

Senator Chris Evans—But they are prearranged too.

Senator Joyce—But you do not know about them. So there are segments of part (b) of this motion that are endemic in this
place—that is, the prearrangement of questions. It continues:

… and the answers to be given for an undisclosed purpose,

I am not quite sure what you mean by ‘an undisclosed purpose’. What are you referring to?

We also already have Senator Heffernan’s inquiry, which is an issue. I must admit this is something that has been brought more to my attention lately. Senator Heffernan has already got an inquiry up. I know how inquiries work. It does not matter what it says in the book; it will venture into the areas that need to be dealt with, as people find that appropriate. They will draw the strings that are attached to the areas that they want to pursue. So there is already an inquiry afoot. We already have an inquiry afoot and this would be the second inquiry into more or less the same matter.

What will we achieve at the end of this? I truly and honestly believe that nothing Senator Abetz has done that was nefarious—foolish, possibly; nefarious, no. I would have been so proximate to it that I would have to have some semblance of an idea that that had gone on, and I do not. If that is not correct, kick me out of the joint.

At the end of this inquiry—if it goes forward—is the Senate going to be a better place? Is there anything in this that will bring about a better outcome, a better process or the instilment of some authenticity and virtue back into the committee process so people have more confidence in it? No, there is not. Apart from the political outcome there will be no real outcome whatsoever.

Has there been public ventilation of just about everything on this issue? Yes, and I seriously believe that not one issue will come to light that we do not already know about. If you believe one will, what powers are you going to use to try to bring it out? You will have witnesses before you, but Godwin Grech, who this relies on once again, will not be there. Veracity of a point or an assertion will be unable to be obtained because the crucial link will not be present.

So what is the motivation? The motivation has to be political. Having been part of the process before, I have seen what Senator Fielding brings up. He is right. At another inquiry I was at Senator Cameron received emails from Senator Conroy with questions for Senator Cameron to ask Senator Conroy. He foolishly did it with a camera behind him watching every move he made. We are looking at one and the same actions, but one has now apparently turned into something insidious. If it is insidious for one, it is insidious for all.

We should rule it out or, as Senator Minchin said, have proper disclosure at the front-end of any inquiry of your relationship to any of the people who stand before you to be questioned. You cannot, obviously, drag in people from outside, but, if you have a relationship with someone you are about to question or if you are portraying something that is not completely the case and you are trying to mislead the people on the other end of the cameras, then we should do it across the board—let us make a move to rule it out everywhere, not just focus on one particular event. On that issue, I think Senator Fielding has a reasonable position to put forward.

I have given this strong thought. As I have stated, I am a voting member of the Senate economics committees. I am very proud of that. They are great committees. We do a lot of good work. I was present when this whole process was in train. I do not think we lauded ourselves in glory; it was a complete and utter debacle. There is nothing wrong or criminal about that; it was just, to use an Australian saying, a complete and utter stuff-
up. I do not think that should be the sub-
stance of an inquiry.

I and the National Party will not be sup-
porting this motion. We gave the Labor Party
the option to come forward with something
broadbased that was going to take the Senate
to a better place and to which Godwin Grech
was not crucial in affirming where the truth
lies. Unfortunately, this motion fails all of
those tests, so we will not be supporting it.

Senator FIELDING (Victoria—Leader
of the Family First Party) (4.48 pm)—This
strikes at the heart of the integrity of the
Senate. There are kids in the gallery listening
to this. Maybe many schools across the
country will want to do a study of what is
happening here today. It strikes at the integ-
rity of the Senate, a house of review. The
Australian public should be reassured that
the Senate has integrity in regard to its com-
mittee hearings. They are a place where the
average person’s views can be put and heard,
not manipulated and not scripted. This is
about integrity, and it should be taken ex-
tremely seriously.

The Leader of the Opposition tabled in a
joint press release some new information. I
took that information to the Clerk of the
Senate and asked for some advice. I also
took to the Clerk of the Senate the well-
known issue that involved Senator Conroy—
the Senator Conroy laptop affair. He was not
just a senator; he was a witness at a hearing.
He was caught red-handed scripting ques-
tions. I also took that to the Clerk of the Sen-
ate for advice. Senator Evans seems to be
quite picky when he chooses whether to use
the Clerk of the Senate’s advice.

Senator Chris Evans—I judge it on its
merits. He’s not always right.

Senator FIELDING—Yes. This is what
he had to say about Senator Conroy’s com-
puter being photographed in the committee
hearing showing that he was sending ques-
tions to a government member of the com-
mittee. He was a witness—not just a senator
or a minister, but a witness—scripting ques-
tions. Where is the integrity in this? If the
shoe were on the other foot today and the
government were the opposition, they would
not be supporting one of their own senators
going before the Privileges Committee. I can
assure you of that.

The ACTING DEPUTY PRESIDENT
(Senator Bernardi)—Senator Fielding, ad-
dress the chair, please, rather than Senator
Evans.

Senator FIELDING—This is the advice
back from the Clerk referring to Minister
Conroy’s laptop computer showing that he
was sending questions as a witness and then
being asked the questions as a witness, hav-
given those questions out. It says that this
kind of scripting of committee hearings
would certainly fall within the category re-
ferred to in previous advices—referring to
the advice I sought with regard to the Leader
of the Opposition and the Grech or OzCar
affair. It says:

This kind of scripting—
this is referring to the Senator Conroy and
Senator Cameron incident—
of committee hearings would certainly fall within
the category I referred to in the previous advices.
It has the tendency to mislead a committee, the
Senate and the public as to the real nature of a
committee hearing because the questions would
not be asked by a senator of a minister or officer
but in effect asked by the minister and officers of
themselves for the purpose of providing the in-
formation the minister wishes to provide rather
than the information the Senate or the committee
wishes to seek.

That goes to manipulation of evidence at a
Senate hearing, which is the same principle
the Rudd government is calling on in the
OzCar affair to go to the Privileges Commit-
tee. Both of them strike at the heart of the
integrity of the Senate and at the heart of
manipulating evidence at Senate hearings. You cannot support one without the other. You cannot look after one of your own mates and claim, ‘Well, one’s not as bad as the other.’ They both strike at the heart of the integrity of the Senate.

Let us keep it honest. You will see from my motion, which is still to come up, that the key to this is part (c) of that motion, which proposes that both the OzCar affair and the Senator Conroy laptop affair go to the Privileges Committee. It proposes to refer the following matter:

(c) whether the Senate’s Privilege Resolution No. 6 setting out matters constituting contempt needs to be reviewed, specifically, to cover matters arising from—the so-called OzCar affair and the Senator Conroy laptop affair. Both these are worthy of going to the Privileges Committee. I urge all senators to think extremely carefully about that motion.

I will now circulate an amendment I propose to Senator Evans’s motion, which is now before the chamber. My amendment will add words to the end of that motion and I will speak to the amendment now so people will have time to look at it. What I want to do quite clearly is to make sure that we do not just have the OzCar affair on its own going to the Privileges Committee, because that could be playing partisan politics. Having both of these issues, which have been publicly raised, going to the Privileges Committee will allow the committee to look at them both with the aim of seeing whether privileges resolution No. 6, setting out matters constituting contempt, needs to be reviewed specifically to cover matters arising from those two issues. I now move my amendment:

At the end of the motion, add “in relation to the hearing of the Standing Committee on Economics on 22 October 2008, whether there was a manipulation of the evidence in relation to the scripting of questions asked in evidence before that committee and, if so, whether any contempt of the Senate was committed in that regard”.

Senator Evans mentioned that having things drafted by the Clerk of the Senate therefore meant they were beyond reproach. The issue about the Clerk of the Senate and the advice on the Senator Conroy affair quite clearly show that that falls well within the issue of misleading a committee and needs to go to the Senate Privileges Committee. So let us get real, let us cut through the bull and have both of them going to the Privileges Committee. Then, once and for all, let us get the issue settled about manipulation of evidence at Senate hearings. I urge all senators to look at this proposal. Both are worthy of going to the Privileges Committee.

**Senator CHRIS EVANS** (Western Australia—Leader of the Government in the Senate) (4.57 pm)—As I understand the amendment moved by Senator Fielding, which I have only just seen, it seeks to add to the reference the question which he colourfully describes as the ‘Conroy laptop affair’. That is a new one on me and I think it really is a bit of hyperbole. That is not a position that we will accept, so we will not be supporting the amendment. As I have made clear in the chamber and to Senator Abetz, I think to link these two events is to do a gross injustice to Senator Conroy, to confuse matters and to not treat the OzCar reference with the seriousness it deserves. I understand that Senator Fielding is seeking to be even-handed, but I think this is quite a different matter.

Senator Minchin made a very sensible point in suggesting to Senator Brown that the matters he raised might properly go to the Procedures Committee. Quite frankly, I think your issues, Senator Fielding, as I suggested to you earlier today, might well be referred to the Procedures Committee. What you are effectively saying is what the Clerk is effec-
tively saying—and, to be fair to the Clerk, he has been consistent on this over many years—and that is that he does not like dorothy dixers and he thinks they are a perversion, if you like, of the Senate and proper processes. That has been his position. He has provided that advice in different forms for many years to many of us. I fundamentally disagree with that, and I do not put the question of whether dorothy dixers are appropriate or not in the same class as the concerns that I and others have about the OzCar matter.

I do not think anybody else in the chamber thinks that dorothy dixers—whether they are arranged by the opposition, organised by the government, asked in the Senate or asked in a committee—are. You could make a sensible argument about whether they are appropriate and whether we ought to look at changing the practice or restricting it in some way. Effectively, your complaint is against Senator Conroy for organising a government senator to ask a dorothy dixer. You argue that, somehow, that should be treated more seriously in a Senate committee hearing than it is in the Senate itself. You know it happens in the Senate. You, in fact, occasionally do the courtesy of giving us advice about the question you will ask because you want a proper reply. I think they are two very different issues.

Senator Minchin and Senator Joyce sought to argue the opposition’s case. They sought to prejudge the Privileges Committee by saying: ‘Believe Senator Abetz. He’s a good man. There’s no real matter because we have heard from Senator Abetz.’ We say that Senator Abetz may well have told us the whole story from his perspective, but there is still this question about false evidence on whether or not the Senate was misled by virtue of the actions that occurred. I have acknowledged Senator Abetz’s apology but it is not a question just about whether Senator Abetz is telling the truth. It is about whether or not privilege of the Senate was breached, whether improper activity occurred and whether or not the Senate ought to take some action about those matters.

While the opposition seeks to argue their case here, it is not the appropriate manner in which to deal with this serious matter. I want to make a point in response to Senator Minchin and Senator Fielding. Senator Minchin likes to say: ‘Oh, this is everyday practice. There are always public servants leaking to you; there are always questions organised; there are always discussions with them about leaks and how we are going to arrange it. This is all common-day practice.’ I obviously was very unlucky in opposition—I wished that was occurring. I actually had to do most of the graft myself, and I dream of having this regular contact with ‘Deep Throat’ to provide me with all this information. It could even make being in opposition look attractive again if that were the case! We would be able to have a lot of fun. I found it was more like 99 per cent graft of your own, and I am sure the opposition senators are finding the same. I hope they get lots of practice at it.

Let us be frank: this is qualitatively different. We now have as a finding of fact from the Australian Federal Police that the email that was referred to was false. This was established by the AFP; it was admitted to by key players, Mr Turnbull and Senator Abetz. Secondly, we know from the evidence of both of those persons and the public servant, Mr Grech, that he prepared and rehearsed with them his evidence. This was admitted by all three. This is quite a different matter. It raises much more serious issues than questions of dorothy dixers. We actually have admissions and evidence from all three that support that. So we are not arguing about what may or may not be true. These matters have actually happened and all three parties
have said they happened. The question therefore for the Privileges Committee to test is: is that a breach of privilege? We are not testing whether it happened or not; we are testing whether or not it is a breach of privilege.

The other argument put forth was that Mr Grech was too unwell to appear. That may be the case. I am not a medical expert, but we seem to have a few around the chamber. It seems to me that that is something best left in the hands of the committee—to make judgments about whether they invite him to appear, whether they invite him just to give written evidence or whether they invite him to give evidence at all. That is a question for the committee; it is a part of their normal operations.

I do not think this attempt to argue the case here is appropriate. It is appropriate that serious matters of breach of privilege have been raised. At one stage I was accused by Senator Minchin of not providing enough detail, and then I was accused by Senator Joyce of having made an outrageous slur. I do not know how I could have done both. What we have referred to the committee in this motion is a very serious issue done in a calm and fair way to analyse whether or not serious breaches of privilege of the Senate occurred. It is appropriate for this to occur. Senator Brown supported my point: if we do not refer a case as serious as this, what will we ever take seriously? This is a case where we know false documentation was used to justify an attempt to use Senate estimates in a pre-arranged manner to bring down the Prime Minister of the country. If that is not serious, then clearly there will be no role for the Privileges Committee or concerns about a breach of privilege in this parliament ever again. That will be a very high hurdle to get above.

This is a serious matter. It is a matter that ought to be dealt by the Senate Privileges Committee. I indicate that the Labor Party will not be supporting Senator Fielding’s amendment, but I urge all senators to support the motion.

The ACTING DEPUTY PRESIDENT (Senator Bernardi)—The question is that the amendment moved by Senator Fielding be agreed to.

Question negatived.

The ACTING DEPUTY PRESIDENT—The question now is that the motion moved by Senator Evans be agreed to.

The Senate divided. [5.10 pm]

(The President—Senator the Hon. J.J. Hogg)

Ayes............. 34
Noes............. 32
Majority........ 2

AYES


NOES


CHAMBER
Wednesday, 12 August 2009  SENATE  4741

Humphries, G.  Joyce, B.  Macdonald, I.  McGauran, J.J.  Parry, S. *  Ronaldson, M.  Scullion, N.G.  Trood, R.B.  


* denotes teller  

Privileges Committee  

Reference  

Senator FIELDING (Victoria—Leader of the Family First Party) (5.13 pm)—I seek leave to amend my motion by deleting paragraphs (a) and (c).

Leave granted.

Senator FIELDING—I move the motion as amended:

That the following matter be referred to the Committee of Privileges:

Whether there was a manipulation of the evidence given before the Standing Committee on Economics at its hearing on 22 October 2008 in relation to scripting of questions asked in evidence before that committee and, if so, whether any contempt of the Senate was committed in that regard.

In moving that, I make it absolutely clear that there was some indication from Senator Evans that linking the Senator Conroy laptop affair with the Grech affair was a concern for him.

Honourable senators interjecting—

The PRESIDENT—Order! Senator Fielding is entitled to be heard in silence.

Senator FIELDING—So now that we have got the OzCar affair reference completed, clearly there is no way that Senator Evans can now claim that there is a link between the two. They can stand on their own merits. Again, there are serious concerns about the integrity of the Senate and the issue of manipulating evidence, and quite clearly Senator Conroy was caught on camera. This is an issue that needs to be resolved and it should also warrant going to the Privileges Committee. I urge senators to support this motion in its own right.

The PRESIDENT—So that no-one is under any misapprehension, we now have an amended motion before the chair, which essentially is just paragraph (b) of the original motion.

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (5.16 pm)—I would just like to state that I thought that the best part of Senator Fielding’s motion was the part he is now deleting, which is part (c). If he were to change part (c) to talk about what we can do in the future to cover matters so that we can deal with concerns then he would probably have something that would get a bit of support. Unfortunately, he has deleted the part that we wanted to keep in.

Senator CHRIS EVANS (Western Australia—Leader of the Government in the Senate) (5.17 pm)—I indicate that we will be opposing Senator Fielding’s motion. As I indicated in the earlier debate, we have basically had the debate already and the view of the Senate was tested when Senator Fielding sought to amend my motion with a similar proposition, which was to add the reference to what he delightfully now keeps referring to as the ‘Conroy laptop affair’. I am sure that is making Senator Conroy really enjoy it, but the bottom line, Senator, is that, if there is a serious issue about the prompting of questions and those sorts of things that senators want to pursue, we can pursue those
at the Procedures Committee. It is common practice. We saw it today at question time.

Senator Ian Macdonald interjecting—

Senator CHRIS EVANS—Senator Minchin made that very wise suggestion, Senator, and I am taking it up. It was a very sensible suggestion. Senator Minchin and I are in total agreement. Senator Fielding is right: I argued that we should not link the two matters—that is dead right. But I also argued that I did not support the reference of this issue involving Senator Conroy, because I did not think it was serious. One of the principles under the Senate privileges resolution No.4 is that you should not refer matters which appear to be of a trivial nature or unworthy of the attention of the Senate. Quite frankly, I think this fits into that category, and we will not be supporting it.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (5.18 pm)—Senator Evans said a little earlier in the proceedings that the Clerk had great concerns about Dorothy Dixers, and I share those concerns, by the way. We must not confuse a Dorothy Dixer with giving a question on notice so that you can get a more appropriate answer. They are different things. A Dorothy Dixer is where a question is put with an answer known beforehand.

I do remind the Senate of two things here. The first is that this matter happened 10 months, and I would have thought that it ought to have been brought before the Senate for reference to the Privileges Committee at some time during those 10 months and not now as an apparent quid pro quo. That notwithstanding, it is our position that if there is a reasonable case to be put to the Privileges Committee, the Privileges Committee should make the determination. So we will not be opposing this matter. The very fact that there would be a Greens MP sitting next to me rather than Senator Fielding, had it not been for the preferences of Labor in Victoria, in no way enters into our consideration, nor will it ever enter into a consideration of a matter like this.

Senator PARRY (Tasmania—Manager of Opposition Business in the Senate) (5.19 pm)—I indicate that the opposition will not be supporting Senator Fielding’s amendment. Also, whilst I am on my feet, in response to Senator Brown in relation to the debate earlier, which does overflow into this debate, Senator Brown indicated that we opposed yesterday the restructure of the Privileges Committee by not inserting a crossbench member. We did not oppose that per se. We opposed the notion of committee membership being decided like that through a notice of motion. Committee memberships or the restructure of committees should be decided by the Procedures Committee looking at the whole gamut of committees and the membership of committees.

Also, Senator Brown alluded to the fact that the committee should be more representative. If Senator Brown looks at the committee membership now, there are four Labor members on the Privileges Committee and three coalition members. If we looked at proportional representation on that committee, it should be 2.9 Labor, 3.4 coalition and 0.6 of a crossbench member. These are the reasons we need to discuss these matters more fully in the Procedures Committee.

Finally, I indicate that Senator Brown also mentioned in the debate previously that Senator Abetz, in effect, voted at the last division of the Privileges Committee in June. That is not correct. Senator Abetz did not vote.

Senator XENOPHON (South Australia) (5.21 pm)—Mr President, I indicate that I will not be opposing Senator Fielding’s motion, principally because you ruled yesterday that this was not a trivial matter and it ought
to be dealt with. But I do not think that anyone can reasonably say that the matters Senator Fielding wishes to be looked at could be compared to the matters raised in Senator Evans’ motion, so there is a difference. I think that it is appropriate for the Privileges Committee, given your ruling, to ventilate the issues raised in Senator Fielding’s motion and that it be dealt with.

Senator FIELDING (Victoria—Leader of the Family First Party) (5.22 pm)—I think the interesting issue here is that the background to this is that I referred both issues to the Clerk of the Senate in light of the OzCar affair, Senator Conroy and the emailing. I asked for them to be in the light of the OzCar affair. Was it significant enough? Was there significance? I am hoping that people are not treating this as trivial, because the Clerk of the Senate treats it very seriously and so do I. I do just appeal to those who have said they are not going to support this one to rethink their position, and I urge all senators to support this reference to the Privileges Committee.

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

The Senate divided. [5.28 pm]
(The President—Senator the Hon. J.J. Hogg)

Ayes…………… 7
Noes…………….. 41
Majority………. 34

AYES
Brown, B.J.  Fielding, S. *
Hanson-Young, S.C.  Ludlam, S.
Milne, C.  Siewert, R.
Xenophon, N.

NOES
Adams, J.  Arbib, M.V.
Back, C.J.  Bernardi, C.
Bilyk, C.L.  Birmingham, S.

* denotes teller

Question negatived.

Economics Legislation Committee Report

Senator FARRELL (South Australia) (5.31 pm)—At the request of the Chair of the Senate Economics Legislation Committee, Senator Hurley, I present the report of the committee on the provisions of the Renewable Energy (Electricity) Amendment Bill 2009 and a related bill, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

MINISTERIAL STATEMENTS

Afghanistan

Senator FAULKNER (New South Wales—Minister for Defence) (5.32 pm)—by leave—I indicate to the Senate that at the end of a somewhat truncated statement in the chamber I intend to seek leave for the full ministerial statement to be incorporated in Hansard. This is something I have spoken with the opposition about. I thought it would be useful for me to say that at the commencement of my remarks, because I want the Hansard record to be complete if it can
be on this matter. I thank the Senate in relation to that.

On the 29 April this year, the Prime Minister made a major statement about Australia’s role in Afghanistan. Afghanistan is an important and challenging commitment for Australia, and it is my intention as the Minister for Defence to give the parliament regular reports on our progress in this conflict.

It is also my intention in these statements to provide a frank and objective assessment of the security situation in Afghanistan. I want to ensure that the Australian parliament and the Australian people are properly informed and able to make considered judgments about our involvement in the International Security Assistance Force in Afghanistan.

Australia’s contribution in Afghanistan should be seen in its international context. It is central to the government’s broader commitment to international efforts to defeat terrorism. The terrorist attacks in Jakarta on 17 July, in which three Australians died, are a grim reminder that terrorism remains a constant threat, with a global reach.

Afghanistan has been a training ground for terrorists, including those who perpetrated the attack against our embassy in Indonesia, and the attacks in Bali which resulted in close to 100 Australians losing their lives. Recent events here, in Australia, also underscore this global threat.

I want to be absolutely clear that we cannot ignore this reality: an Afghanistan which allows terrorists to flourish means less security for Australians. If the International Security Assistance Force partners, comprised of 42 different countries, were not in Afghanistan, then Afghanistan would be in danger of returning to Taliban control.

The Australian government has clearly set out the specific goals underlying Australia’s commitment and military involvement in Afghanistan, which the Prime Minister identified in April this year. They are:

(1) helping to stabilise the country through combined and coordinated military, police and civilian assistance;

(2) training sufficient Afghan security and police forces in Oruzgan province to allow Afghan authorities to take over within a reasonable timeframe; and

(3) helping to prevent Afghanistan from again becoming a training ground and operating base for international terrorists.

This approach aligns with the renewed focus of our partners on a coordinated and comprehensive campaign, and the efforts of our partners in Oruzgan should be acknowledged. In particular, I thank the Netherlands and its forces for their strong support and leadership in Oruzgan province.

To ensure Australia’s whole-of-government commitments are integrated into the broader international effort, the government has appointed Mr Ric Smith as Australia’s Special Envoy for Afghanistan and Pakistan. Mr Smith will assist in Australia’s diplomatic efforts in Afghanistan, meeting with representatives of other governments, reporting to us on progress, and working to improve coordination and cooperation with our key partners.

As the Prime Minister said in April, Australia has fundamental interests at stake in Afghanistan. We need to ensure that Islamist extremists and terrorist groups are denied safe havens in Afghanistan.

The government also believes in honouring our international commitments. We must continue to play our part, along with our allies, the US and NATO led coalition, to ensure that we prevail in Afghanistan.

Today I will focus on our military strategy, and report on the progress we are mak-
ing on each of the goals identified by the Prime Minister.

Stabilisation

With respect to the first of these goals—stabilisation—this is a threshold year for Afghanistan and the international community’s stabilisation efforts. In just over a week the people of Afghanistan will go to the polls to elect their government. Every vote cast will represent a step forward, distancing the country from a violent and repressive past under the Taliban. But senators should make no mistake: the election period will be a dangerous time. The Taliban will undoubtedly seek to deny Afghans their rightful voice in the affairs of their own country.

Significantly, security for these elections will be Afghan led, provided first and foremost by Afghan National Security Forces, with international forces playing a supporting role. This is indicative of the improved capacity of the Afghan forces. Australia is making a significant contribution to support these elections. We have deployed an election security force of about 120 troops and are also providing additional military airlift capacity to help provide logistics support during the course of the election. We are also sending a civilian team to observe the electoral process.

As part of our election support efforts, Australian forces are mentoring and supporting their Afghan counterparts in providing security around polling booths in Oruzgan province. This is in addition to operations to ensure a safe environment in the lead-up to, and during, the election.

Building security capacity in Oruzgan

Our second goal is to train Afghan security and police forces in Oruzgan province to build their capacity. In late 2008, Australia deployed an Operational Mentor and Liaison Team to Afghanistan to train the 2nd Infantry Kandak (or battalion equivalent) of the 4th Afghan National Army Brigade in Oruzgan province. Our work there is succeeding. On 11 July 2009, the 2nd Kandak was assessed at capability milestone 3 with the prospect of moving to capability milestone 2 by the end of the year. This means the Kandak mentored by Australia will move from an initial operational capability where it is reliant on coalition support to a point where the Kandak will be capable of conducting independent missions and tasks, and will require only routine support from the coalition. With our support, the 2nd Infantry Kandak has planned and conducted a number of major operations in the province. The majority of these combined operations are conducted on foot, amongst the population, and frequently under Afghan National Army leadership. Australian mentored Afghan elements are assuming greater responsibility, focusing on critical regions such as the Chora and the Baluchi valleys, and are establishing new combat outposts. As the Prime Minister announced on 29 April, over the coming months our Operational Mentor and Liaison Team will be supplemented by two additional Australian training teams.

This significant increase in Australian trainers will help to increase the throughput of Afghan soldiers and accelerate training outcomes. Training foreign soldiers is a job Australians do well. We demonstrated this in both East Timor and Iraq. Yet, despite our strong track record, and our progress to date, we must be careful not to set unrealistic time limits on our training commitment. Raising an effective and professional fighting force takes time.

Strategic denial of terrorists

The third goal is to deny terrorists any sanctuary in Afghanistan. Our forces are disrupting insurgent networks by denying them effective leadership, reducing their freedom to move and disabling their methods of sup-
ply. Only last week, Australian soldiers, in a combined operation with Afghan and coalition forces, successfully captured four key Taliban leaders and three lower level insurgents. Their capture, along with a cache of improvised explosive devices components, will substantially reduce the Taliban’s ability to conduct indiscriminate attacks.

In fighting the Taliban, we face an enemy that is ruthless, determined and willing to commit unlawful and repugnant tactics to achieve its aims. Taliban insurgents continue to deliberately place innocent Afghan civilians at risk. A common Taliban tactic, for example, is to launch attacks from heavily populated civilian areas, using local Afghans as human shields.

Let me assure senators that this government and our Defence Force take the issue of civilian casualties extremely seriously as well. I also acknowledge, however, that there could be times when mistakes are made on our side, in the course of conducting the kinds of complex, dangerous counterinsurgency operations that this conflict involves.

But unlike our enemy, and this is, I think, a very important distinction, we will continue to make every effort to reduce the risks posed to civilians by our military activities. We are also committed, publicly, to investigating all claims of Australian involvement in civilian casualties in an open and transparent manner. All civilian deaths are a tragedy and our forces work very hard to avoid them. By contrast, the Taliban show no sign of abandoning their wilful disregard for the security and safety of Afghan civilians.

Notwithstanding the progress made in Afghanistan to date, the road ahead is likely to be long and difficult. Oruzgan is amongst the most impoverished of Afghanistan’s provinces. And the Taliban led insurgency remains a highly mobile and resilient enemy. It is almost inevitable that there will be further Australian casualties. This will be a long and difficult struggle and success will depend on the sustained commitment of the Afghan government working with the international community. But contributing to the long-term stability of Afghanistan and the defeat of the Taliban led insurgency is, as I have said, vital to our national security.

Under the leadership of the recently appointed ISAF commander, General Stanley McChrystal, partners are focussed on doing what is necessary to succeed in Afghanistan. As recently reported, General McChrystal recognises that the insurgency remains stronger in some parts of Afghanistan than the coalition would like. For Australia, Afghanistan remains a difficult and dangerous operation. Eleven of our soldiers have died there, most recently Private Benjamin Ranaudo. They will not be forgotten. Over 70 have been wounded. Australia honours the courage and the sacrifices made by all of these soldiers for their country. Our coalition partners have also endured significant losses, and will face more. In the last month alone coalition forces suffered over 70 fatalities in Afghanistan, the deadliest month of the campaign so far.

As Minister for Defence, I have made it clear that the security of our soldiers remains our highest priority. I assure senators that we are making every effort to reduce the risks posed to Australian troops through appropriate preparation and training, and ensuring that our troops have the equipment they need for this particular mission. Helping Afghanistan recover from decades of civil war, the repressive rule of the Taliban and the aftermath of the insurgency is a long-term challenge for the international community. At times, the challenges confronting us may obscure our achievements. But the difficulty of the task should not deter us from our objectives in this conflict, given the critical
importance of security and stability in Afghanistan.

Madam Acting Deputy President, I seek the leave of the Senate to incorporate the full ministerial statement in the *Hansard*.

Leave granted.

*The speech read as follows—*

On 29 April this year, the Prime Minister made a major statement about Australia's role in Afghanistan. Afghanistan is an important and challenging commitment for Australia, and it is my intention as the Minister for Defence to give the parliament regular reports on our progress in this conflict.

It is also my intention in these statements to provide a frank and objective assessment of the security situation in Afghanistan. I want to ensure that the Australian parliament and the Australian people are properly informed and able to make considered judgements about our involvement in the International Security Assistance Force in Afghanistan.

Australia’s contribution in Afghanistan should be seen in its international context. It is central to the government’s broader commitment to international efforts to defeat terrorism. The terrorist attacks in Jakarta on 17 July, in which three Australians died, are a grim reminder that terrorism remains a constant threat, with a global reach.

Afghanistan has been a training ground for terrorists, including those who perpetrated the attack against our embassy in Indonesia, and the attacks in Bali which resulted in close to 100 Australians losing their lives. Recent events here, in Australia, also underscore this global threat.

I want to be absolutely clear that we cannot ignore this reality: an Afghanistan which allows terrorists to flourish means less security for Australians. If the International Security Assistance Force partners, comprised of 42 different countries, were not in Afghanistan, then Afghanistan would be in danger of returning to Taliban control.

If al-Qaeda were allowed to regroup and launch further attacks, as the Taliban regime previously allowed, the consequences for our own security would be serious.

The Australian government has clearly set out the specific goals underlying Australia's commitment and military involvement in Afghanistan, which the Prime Minister identified in April this year. They are:

1. helping to stabilise the country through combined and coordinated military, police and civilian assistance;
2. training sufficient Afghan security and police forces in Oruzgan province to allow Afghan authorities to take over within a reasonable time frame; and
3. helping to prevent Afghanistan from again becoming a training ground and operating base for international terrorists.

This approach aligns with the renewed focus of our partners on a coordinated and comprehensive campaign, and the efforts of our partners in Oruzgan should be acknowledged. In particular, I thank the Netherlands and its forces for its strong support and leadership in Oruzgan province. While Australia would welcome continued Dutch leadership in the province beyond 2010, we recognise that this is a matter for the government of the Netherlands.

To ensure Australia’s whole-of-government commitments are integrated into the broader international effort, the government has appointed Mr Ric Smith as Australia’s Special Envoy for Afghanistan and Pakistan. Mr Smith will assist in Australia’s diplomatic efforts in Afghanistan, meeting with representatives of other governments, reporting to us on progress, and working to improve coordination and co-operation with our key partners.

As the Prime Minister said in April, Australia has fundamental interests at stake in Afghanistan. We need to ensure that Islamist extremists and terrorist groups are denied safe havens in Afghanistan. Failure to achieve this objective could lead to a jihadi state that would again allow international terrorists to re-establish themselves in Afghanistan.

To achieve this, we must ensure that the Afghan government offers better security and more economic benefits for the Afghan people than the Taliban and other extremist groups can offer.
The government also believes in honouring our international commitments. We must continue to play our part, along with our allies, the US and NATO-led coalition, to ensure that we prevail in Afghanistan.

Although defeating the Taliban and other extremist groups is an ultimate objective, the immediate aim must be to restore the initiative to ISAF and Afghan government forces and to secure the population by focusing operations on protecting local communities.

Today I will focus on our military strategy, and report on the progress we are making on each of the goals identified by the Prime Minister.

Stabilisation

With respect to the first of these goals—stabilisation—this is a threshold year for Afghanistan and the international community’s stabilisation efforts. In just over a week the people of Afghanistan will go to the polls to elect their government. Every vote cast will represent a step forward, distancing the country from a violent and repressive past under the Taliban.

But senators should make no mistake: the election period will be a dangerous time. The Taliban will undoubtedly seek to deny Afghans their rightful voice in the affairs of their own country.

Significantly, security for these elections will be Afghan-led, provided first and foremost by Afghan National Security Forces, with international forces playing a supporting role. This is indicative of the improved capacity of the Afghan forces, to provide for their own security.

Australia is making a significant contribution to support these elections. We have deployed an election security force of about 120 troops and are also providing additional military airlift capacity to help provide logistics support during the course of the election. An Australian Army officer, Brigadier Damian Cantwell, is the Chief of the Election Task Force within the Headquarters of the International Security Assistance Force. We are also sending a civilian team to observe the electoral process.

As part of our election support efforts, Australian forces are mentoring and supporting their Afghan counterparts in providing security around polling booths in Oruzgan province. This is in addition to operations to ensure a safe environment within the province in the period leading up to, and during, the election. Significantly, our troops have also helped to establish an Operational Coordination Centre in Tarin Kowt that will serve as the central command and control point for all election security operations within Oruzgan.

Our work in stabilisation, however, is much broader-ranging than the election or the election period.

The Australian Defence Force is continuing to contribute to stabilisation efforts through a programme of reconstruction and trade skills development. These activities are improving access to essential health and education services for local Afghans, are supporting economic development, and are teaching locals new skills to improve their employment opportunities in Oruzgan province.

Through the construction of new schools, health clinics and roads, our engineers are making a tangible difference in Oruzgan and are helping the provincial government to deliver essential services. For example, our forces have overseen the development of Oruzgan’s primary healthcare facility, the Tarin Kowt Hospital. This has included the addition of a women’s hospital, a blood bank and other facilities. Australian Defence Force efforts have seen the hospital develop from a poorly equipped facility that struggled to deliver basic health services, to today being a more advanced medical facility that provides important health services to the people of Oruzgan.

Our reconstruction efforts use locally sourced labour, stimulating the local economy and developing the indigenous construction sector.

Our forces operate a trade training school that provides a variety of trade training courses for local Afghans. This is an example of the real difference Australia’s commitment is making to the lives of ordinary Afghans. Graduates receive Afghan government recognition for completed courses and a greatly improved opportunity for employment in the community. The school also helps to grow a pool of local trainers through continued development of their teaching skills and by employing graduates as instructors for future courses.
Building security capacity in Oruzgan

Our second goal is to train Afghan security and police forces in Oruzgan province to build their capacity.

In late 2008, Australia deployed an Operational Mentor and Liaison Team to Afghanistan to train the 2nd Infantry Kandak (or battalion equivalent) of the 4th Afghan National Army Brigade in Oruzgan province. This team has made—and continues to make—steady progress in improving the Kandak’s ability to plan, conduct and command operations.

Our work there is succeeding. On 11 July 2009, the 2nd Kandak was assessed at Capability Milestone 3 with the prospect of moving to Capability Milestone 2 by the end of the year. This means the Kandak mentored by Australia will move from an initial operational capability where it is reliant on coalition support, to a point where the Kandak will be capable of conducting independent missions and tasks, and will require only routine support from the coalition.

Working with Afghan forces, Australian troops are also helping to build enabling capabilities within the Afghan engineering and intelligence systems. We are also working with the Afghans to improve the Kandak’s command and control functions.

Beyond the training ground, our mentoring efforts are making a real and significant contribution to security in Oruzgan. With our support, the 2nd Infantry Kandak has planned and conducted a number of major operations in the province. The majority of these combined operations are conducted on foot, amongst the population, and frequently under Afghan National Army leadership. Australian-mentored Afghan elements are assuming greater responsibility for sectors within the Tarin Kowt area. They are focussing on critical regions such as the Chora and the Baluchi Valley, and are establishing new combat outposts.

Local communities in these areas are welcoming the presence of Afghan forces as evidence of the increasing reach of the Afghan state and the security it brings with it. This is hugely important.

Along with the United States and other coalition partners, Australia is also helping to appropriately equip Afghan forces. Australia’s major commitment of US$200 million over five years to the Afghan National Army Trust Fund will assist the continued capability growth of Afghan forces. This government is proud to acknowledge Australia’s position as the largest contributor to the fund (outside the US). Such is our commitment to ensuring that Afghan security forces have the equipment and resources necessary to do their job.

With our assistance, Afghan soldiers are courageously standing up to the threat of insurgents. They are helping to spread security into districts that were once Taliban strongholds. With greater security, locals are starting to rebuild their homes, gain new skills and get on with their lives. This is the positive impact our troops are making in Oruzgan today.

As the Prime Minister announced on 29 April, over the coming months our Operational Mentor and Liaison Team will be supplemented by two additional Australian training teams.

As significant increase in Australian trainers will help to increase the throughput of Afghan soldiers and accelerate training outcomes. These efforts will deliver more trained Afghan soldiers who will, over time, move out further into the province, consolidating security. Our training of Afghan troops today will mean a more secure future for Afghanistan tomorrow.

Training foreign soldiers is a job Australians do well. We demonstrated this in both East Timor and Iraq. Yet, despite our strong track record, and our progress to date, we must be careful not to set unrealistic time limits on our training commitment. Raising an effective and professional fighting force takes time. And it takes a concerted effort. It is hard graft in times of peace, and much tougher when confronted with an aggressive insurgency.

We are aiming to build an effective Afghan National Security Force in Oruzgan province that is able to provide security for its own people. This will set the conditions for the withdrawal of Australian combat forces.

We remain confident that we will prevail. Our progress is evidenced by the Afghan National Army’s growing capability in Oruzgan. And, with the deployment of two additional Operational
Mentor and Liaison Teams, we will carry this momentum forward.

**Strategic denial of terrorists**

The third goal is to deny terrorists any sanctuary in Afghanistan. This is an important priority for our mission in Afghanistan, and Australian and international forces are making strong ground against the Taliban-led insurgency. Our forces are disrupting insurgent networks by denying them effective leadership, reducing their freedom to move and disabling their methods of supply. This is creating the environment necessary for reconstruction and development activities that improve the quality of life for Afghans.

Our special forces, in particular, continue to conduct successful operations against Taliban leaders and bomb-makers in Oruzgan province. Our forces also mentor Afghan security personnel on combined operations. Increasingly, it is Afghan soldiers who are engaging with the local population. That we have made much headway in such difficult conditions is a tribute to our force’s comprehensive counterinsurgency capabilities, drawn from a long history of operational experience.

Our special forces soldiers have participated in numerous operations against senior Taliban leadership, culminating in the death or capture of key insurgent leaders directly involved in planning attacks against coalition and Afghan forces, or against Afghan civilians. During such operations, caches of weapons, ammunition, rockets, mortars and explosives are routinely seized.

Only last week, Australian soldiers, in a combined operation with Afghan and coalition forces, successfully captured four key Taliban leaders and three lower-level insurgents. Their capture, along with a cache of improvised explosive devices components, will substantially reduce the Taliban’s ability to conduct indiscriminate attacks against coalition and Afghan forces, and the local population in Oruzgan.

In fighting the Taliban, we face an enemy that is ruthless, determined and willing to commit unlawful and repugnant tactics to achieve its aims. Taliban insurgents continue to deliberately place innocent Afghan civilians at risk. A common Taliban tactic, for example, is to launch attacks from heavily populated civilian areas, using local Afghans as human shields.

The use of such appalling tactics by insurgents is roundly condemned. A June 2009 United Nations report found that insurgents are increasingly responsible for the vast majority of civilian fatalities, particularly through the use of indiscriminate suicide bombs and improvised explosive devices. The report said that most civilian casualties stem from the activities of the Taliban and terrorist groups, deliberately targeting civilians. That report acknowledged the international community’s commitment to reducing civilian casualties, while also finding that more work needed to be done.

Let me assure Senators that this government and our Defence Force take the issue of civilian casualties extremely seriously. We strongly support the International Security Assistance Force’s continued efforts to reduce the risks posed to civilians by operations in Afghanistan.

I also acknowledge, however, that there could be times when mistakes are made on our side, in the course of conducting the kind of complex, dangerous counter-insurgency operations that this conflict involves. This is not least because the Taliban will seek to engineer this outcome.

But unlike our enemy, and this is a very important distinction, we will continue to make every effort to reduce the risks posed to civilians by our military activities. We are also committed, publicly, to investigating all claims of Australian involvement in civilian casualties in an open and transparent manner. All civilian deaths are a tragedy and our forces work very hard to avoid them. By contrast, the Taliban show no sign of abandoning their wilful disregard for the security and safety of Afghan civilians—men, women and children.

I also want to address the issue of detainee management by Australian forces. As Senators would know, our forces are required to apprehend detainees during operations in Afghanistan. Let me be clear: Australian forces treat these detainees humanely, with dignity and respect, and in accordance with all of Australia’s obligations under domestic and international law. The government, and our Defence Forces, take any allegation of detainee mistreatment very seriously. The Australian Defence Force has undertaken appropriate investigations into any allegations received. Our
commitment to an open and transparent approach on these issues is clear.

**Whole-of-government effort**

This conflict in Afghanistan will not be ended by military force alone. Greater economic development and the promotion of good governance are essential. But a secure environment remains a necessary precondition to enabling the Afghan government, both at the national and the provincial level, to meet the needs of its people.

The Australian Defence Force presence in Afghanistan is a critical enabler for Australia’s whole-of-government effort. This includes the important work of our diplomats, the Australian Federal Police and the Australian Agency for International Development.

And our whole-of-government assistance is substantial. Since 2001, Australia has committed $600 million in funding for aid, capacity building and reconstruction and strengthening the Afghan police force. This incorporates part of our 2008 commitment of $250 million in development assistance over three years.

In parallel, the Australian Federal Police is deploying approximately ten additional officers to train and advise the Afghan National Police in Oruzgan province. These additional officers will complement the efforts of the Australian Defence Force by consolidating stability and the rule of law within Oruzgan.

The benefits of our assistance are clear. With the support of international partners, including Australia, over six million Afghan children are now receiving an education. This is the highest number in Afghanistan’s history and, significantly, includes a large proportion of female students who are now benefiting from an education that was once denied to them. Over 85 per cent of the population now has access to primary healthcare. Since 2001 there has been a 26 per cent decline in mortality amongst children under five—resulting in 80,000 lives saved every year —and during this time incomes have doubled. More than three million Afghans have also benefited from rural water and sanitation projects.

These advances reflect the achievements of the coalition in Afghanistan and provide stark contrast to the Taliban’s rule. Under that brutal regime, public executions were commonplace, and even the common children’s pastime of kite-flying was outlawed. Men were forced to grow beards and subject to beatings if they refused. Most shocking of all, however, was the treatment of women who were forbidden from working, were denied access to education and health care services, and were prohibited from leaving their homes without a male relative. Thankfully, with the support of the international community, the Afghanistan of today is a different place.

**Ongoing challenges**

Notwithstanding the progress made in Afghanistan to date, the road ahead is likely to be long and difficult. Tough challenges remain. The Taliban-led insurgency is determined to prevent us from improving security in Afghanistan, and wants to turn back the clock on the country’s progress. Worst of all, their continued use of indiscriminate violence is likely to result in further Afghan, coalition and Australian casualties.

The challenge in Afghanistan is considerable. The country has suffered from decades of continual conflict. Oruzgan is amongst the most impoverished of Afghanistan’s provinces. And the Taliban-led insurgency remains a highly mobile and resilient enemy. It is almost inevitable that there will be further Australian casualties.

Progress will not be easy and it is unrealistic to expect early success in Afghanistan. This will be a long and difficult struggle and success will depend on the sustained commitment of the Afghan government working with the international community. But contributing to the long-term stability of Afghanistan and the defeat of the Taliban-led insurgency is, as I have said, vital to our national security.

Under the leadership of the recently appointed ISAF commander, General Stanley McChrystal, partners are focussed on doing what is necessary to succeed in Afghanistan. In particular, the government acknowledges and welcomes the additional troop contributions recently made by our coalition partners, including the significant increases by the United States. In recent months, we have and will continue to see a renewed focus from NATO and the United States on how best to respond to the Taliban-led insurgency. As recently reported, General McChrystal recognises that the
insurgency remains stronger in some parts of Afghanistan than the coalition would like. For Australia, Afghanistan remains a difficult and dangerous operation. Eleven of our soldiers have died there, most recently Private Benjamin Ranaudo. They will not be forgotten. Over 70 have been wounded. Australia honours the courage and the sacrifices made by all of these soldiers for their country.

Our coalition partners have also endured significant losses, and will face more. In the last month alone coalition forces suffered over 70 fatalities in Afghanistan, the deadliest month of the campaign so far. This rising toll underscores the dangers involved in overcoming the insurgency and highlights the fact that the war is far from won.

As Minister for Defence, I have made it clear that the security of our soldiers remains our highest priority. I assure senators that we are making every effort to reduce the risks posed to Australian troops through appropriate preparation and training, and ensuring that our troops have the equipment they need for this particular mission. The government will continue to work to mitigate the threats that our forces face, particularly from improvised explosive devices. The Australian designed and built Bushmaster Protected Mobility Vehicle (or PMV) is a good example of our approach to equipping our soldiers with the mobility, protection and combat endurance they require to operate in Afghanistan. The Bushmaster has been enhanced for employment in the Middle East Area of Operations and has been directly responsible for saving the lives of Australian soldiers.

I am confident that Australia’s current contribution to this campaign remains targeted and appropriate for the mission at hand. The international community must not allow this shared threat to go unchallenged. Australia remains committed to assisting our coalition partners with the heavy lifting.

Helping Afghanistan recover from decades of civil war, the repressive rule of the Taliban and the aftermath of the insurgency is a long-term challenge for the international community. At times, the challenges confronting us may obscure our achievements. But the difficulty of the task should not deter us from our objectives in this conflict, given the critical importance of security and stability in Afghanistan.

Senator JOHNSTON (Western Australia) (5.48 pm)—by leave—I move:

That the Senate take note of the statement.

I congratulate the Minister for Defence and acknowledge the report, the first formal report that I am aware of, as to progress in Afghanistan. I want to also comment on the content and tone of the report and say that our engagement, our involvement and our commitment to Afghanistan and the commitment of the government is wholeheartedly supported by the opposition. We are earnestly supportive of all of the efforts to make sure that Afghanistan does not fall back to become a haven for terrorists.

On a recent visit to Tarin Kowt and Kandahar—I want to thank the ADF and the minister for permission to visit our front line troops into Tarin Kowt—I met our commanding officer, Major General Mark Kelly. He is simply an outstanding leader. I spent two days with the general. He is presiding over a force that is highly trained, that is very high in morale and he is quite simply an outstanding leader of men and women. It is a difficult and complex task in dealing with an insurgency in this particular country. He imparts great confidence that the Australian Defence Force produces outstanding leaders. May I say the same of Lieutenant Colonel Peter Connolly, who is in command of our reconstruction task force in Tarin Kowt. May I also compliment our special forces commander, whose name I will not use for obvious operational reasons. It was indeed an honour and privilege for me, for Malcolm Turnbull and for Julie Bishop to have met these fine men in their place of work, and we acknowledge the very good work that they are doing in the name of right with respect to this issue in Afghanistan. We are all collec-
tively very proud of them and all of the men and women who are engaged in the Middle East on our behalf.

The enemy are very clearly resourceful; they are very brutal and ruthless. Our engineers are engaged in rebuilding schools so that a basic necessity of life—that is, education—can be enjoyed by Afghan children. Our engineers, our sappers and our troops are putting their lives on the line so that these children may simply attend school in the face of a very ruthless enemy that seeks to prevent them doing so. In closing, I again thank the minister for his statement. I look forward to a continuing update, and I thank him for the tone and content of that statement.

Question agreed to.

60TH ANNIVERSARY OF THE GENEVA CONVENTIONS

Senator BRANDIS (Queensland) (5.52 pm)—by leave—I rise to make a short statement on the anniversary of the Geneva conventions. Earlier today the Senate passed a motion noting the 60th anniversary of the Geneva conventions because it was on this day, 12 August, in 1949 that the four Geneva conventions directed to protecting the victims of armed conflict were opened for signature. Australia was an early signatory to those conventions and has, under governments of both political persuasions, been one of their strongest supporters ever since. This was a momentous step in the name of humanity. With the memories of the horrors of the Second World War still fresh, there was a determination that they should never occur again. While recognising that armed conflict would inevitably occur—as, of course, it did throughout the 20th century and continues in various places throughout the world today—the Geneva conventions proclaimed on behalf of humanity that such conflict must be conducted according to rules respected by all peoples. In the language of the Red Cross, even in wars there are still laws. The conventions make comprehensive provision for the protection of the most helpless: the wounded on the battlefield, the shipwrecked, prisoners of war and civilians in the hands of the enemy. They also recognise the emblems of the Red Cross and of the Red Crescent and—as from today in this country—in addition the emblem of the Red Crystal and require the respect and protection of those symbols.

The conventions and their protocols provide for measures to deter violations. It is the duty of all states to investigate, prosecute and punish those guilty of a grave breach, regardless of where the offence was committed and the nationality of the perpetrator. Sadly, in recent times we have seen the rise of so-called ‘non-state actors’ as agents of warfare across state borders and, indeed, with a putative battlefield that does not recognise any territorial limit. While the conventions are now recognised by all the states of the world, modern warfare and its laws and conventions must contend with those groups that do not hold themselves out as states and make no coherent case to be treated as analogous to states. Nevertheless, regardless of the identity of the protagonists, armed conflict will always create the helpless class to whose protection the conventions are directed. It is the challenge of civilised peoples to recognise the universal application of these principles and to afford protection to those who recognise no reciprocal obligation.

The continuing pervasiveness of armed conflict and the diverse identity of the actors involved are illustrated by the regions in which the International Committee of the Red Cross is most active today. Georgia/South Ossetia, Afghanistan, Lebanon, the Democratic Republic of the Congo, the Philippines, Liberia, Colombia and Haiti are among those arenas where conflict still occurs and the Red Cross is active. The con-
Conflicts range from warfare in the traditional sense, civil war and insurrection to widespread terrorism and societal breakdown caused by acute poverty.

In Australia, our national Red Cross Society has made an enormous contribution to the implementation of the conventions’ humanitarian ideals and principles as expressed in the conventions and protocols. On the most recent available statistics, its annual work has included educating over 17,000 people in international humanitarian law, handling nearly 3,000 international tracing and refugee services and assisting over 1,500 asylum seekers. This morning, on the lawns in front of Parliament House, I, along with the Attorney-General, Mr McClelland, participated in a ceremony to mark the 60th anniversary of the Geneva conventions in the presence of the National Chairman of the Australian Red Cross, my very old friend Mr Greg Vickery, its Chief Executive Officer, the Hon. Robert Tickner, and the International Red Cross representative to our region, Mr Jean-Luc Metzker. It was a moving ceremony at which a bound copy of the four Geneva conventions and protocols was passed between politicians, members of the Red Cross and members of the armed services. The opposition supports the motion passed by the Senate earlier today and commends, in bipartisan fashion, the work of the Australian Committee of the Red Cross, the International Red Cross and the values and principles enshrined in the Geneva conventions.

Senator FAULKNER (New South Wales—Minister for Defence) (5.58 pm)—by leave—I move:

That the Senate take note of the statement.

I thank Senator Brandis for his remarks. It is always a positive thing when government, opposition and the whole parliament can join in like-minded support on such an important occasion. The Geneva conventions have been the bulwark of humanitarian principles in times of war for 60 years. They are as necessary today as they ever were. They are a crucial mechanism to make sure humanitarian principles are never forgotten and humanitarian principles are always upheld. However, the conventions themselves would be symbolic but obviously less relevant without the commitment and tireless efforts of individuals and organisations to uphold the values that the conventions embody.

The International Committee of the Red Cross in the past six decades has promoted and encouraged adherence to the conventions and taken impartial action to protect the vulnerable during armed conflict. On this 60th anniversary of the conventions, I certainly think it is appropriate to acknowledge Australia’s ratification of the third additional protocol, which establishes a third neutral emblem: the Red Crystal.

I should, as Minister for Defence, make special mention of the Australian Defence Force and Australian Defence Force personnel. Among Australian citizens, they have a unique connection to the conventions because of their vocation. It is with a great deal of pride that I note the unwavering commitment within Australia’s armed forces to the principles enshrined in the Geneva conventions. The support of the Senate, this parliament, in promoting universal adherence to international humanitarian law also serves to protect our troops and other Australian citizens who are working in foreign conflict zones.

The commemoration of a landmark event such as this by a democratic parliament such as ours is a small but significant way in which we can uphold our commitment to international humanitarian law. I am very happy and pleased to associate the government with the statement that was made by
Senator Brandis, with the resolution that was agreed to—which stood in my name earlier this day—and also with the statements made by my colleague the Attorney-General, Mr Robert McClelland.

Senator MILNE (Tasmania) (6.03 pm)—I rise this afternoon to associate the Australian Greens with the comments that have been made in relation to the Geneva conventions. As Senator Brandis noted, there was a moving ceremony this morning outside Parliament House. I represented the Australian Greens there, along with the Attorney-General, Mr Robert McClelland; Senator Brandis; Robert Tickner, the Australian chair of the Red Cross; and other dignitaries who came together to celebrate the 60th anniversary of the Geneva conventions.

I particularly want to note this afternoon the role of the Red Cross in continually fostering those principles of humanitarian law around the world and the work it does in trying to limit human suffering in times of armed conflict. I would particularly like to thank the volunteers who support the Red Cross all around Australia and the world in that work. Very often the volunteers and staff who work so hard in carrying out the humanitarian ideals expressed in the conventions and in the additional protocols are forgotten, but you only have to talk to people who have served in any capacity in war to see how much they value the Red Cross. Also, when there are fundraising efforts around the country to raise money for the Red Cross, you see that level of appreciation.

In the celebration of 60 years of the Geneva conventions, Robert Tickner this morning mentioned how important it is to be vigilant in upholding the principles of the Geneva conventions. He cited a recent poll which showed—and I am alarmed by this—that 43 per cent of the people asked thought it was all right to torture prisoners, and in some cases 40 per cent thought it was all right to kill prisoners. I think it is a tragedy for Australia that we are returning figures of 43 per cent or 40 per cent in that regard. In my mind that is a direct result of the Bush administration’s years and the decision to establish Guantanamo Bay offshore in order to avoid the Geneva conventions. That has led, with Abu Ghraib prison as well, to atrocities which people saw week in and week out on their television screens. I think that has led to a somewhat unacceptable view in Australian society that it is ever okay to torture prisoners and that it is ever okay to kill foreign soldiers in your custody.

I would absolutely join with those who today congratulate the International Red Cross and Red Crescent Movement in the decision to include the Red Crystal. I am delighted that we are honouring the 60th anniversary of the four Geneva conventions established in 1949, but I would urge vigilance and urge all members of parliament to reaffirm in their constituencies wherever possible the principles underpinning the Geneva conventions and to deplore any efforts around the world to undermine those conventions through national policy which sees a deliberate attempt to avoid the principles, to get around them, in order to engage in torture. I wish to add the Australian Greens’ support for this special anniversary of the Geneva conventions and to support at all times the humanitarian work of the Red Cross.

Question agreed to.

MINISTERIAL STATEMENTS
Climate Change

Senator MILNE (Tasmania) (6.07 pm)—I seek leave to speak on the ministerial statement by the Minister Assisting the Min-
ister for Climate Change, the Hon. Greg Combet. This statement was tabled in the Senate earlier this afternoon at the same time as the Senate Rural and Regional Affairs and Transport Committee was meeting with a New Zealand delegation. The statement was passed over very quickly and, as I was not able to be in the chamber, I am now seeking leave to speak on the minister’s statement.

Senator O’Brien—How long?

The ACTING DEPUTY PRESIDENT (Senator McGauran)—How much time do you require?

Senator MILNE—With the agreement of the Senate, I would like five minutes.

Leave granted.

Senator MILNE—Today, in the House of Representatives, the Minister Assisting the Minister for Climate Change, the Hon. Greg Combet, made a ministerial statement entitled The scientific imperative for action on climate change. In that statement the minister cited the scientific evidence that demonstrates, in my view, exactly what the Greens have been saying for some time, what the government has been saying and what the Intergovernmental Panel on Climate Change scientists have been saying, and that is that global warming is real, the science is saying that global warming is accelerating and human activities are responsible for that warming.

Where I have to differ with the minister is where he gets to his final conclusions. Up until that point he was going well; he was actually citing the science of climate change and the imperative to act on it. In his conclusion he made a giant leap of faith by suggesting that, given that there is a scientific imperative to act on climate change, the government’s Carbon Pollution Reduction Scheme actually deals with that imperative. That is why this statement is so dishonest. It is a sleight of hand because it implies that a Carbon Pollution Reduction Scheme national target aimed at 550 parts per million meets in any way the scientific imperative. He said in the statement that the government is aiming for 450 parts per million at a global level and he acknowledges that that is in Australia’s national interest. The point is that the science has moved well on from that. At 450 parts per million it was thought we had a 50 per cent chance of avoiding catastrophic climate change. Now, the scientists do not believe that and they are saying that 350 parts per million is what we should be aiming at in order to give ourselves a good chance of avoiding catastrophic climate change.

The minister talked about 450 parts per million as if it were a safe level, when the scientists have been saying that 450 parts per million is the tipping point for ocean acidification. At that point the microscopic creatures at the bottom of the ocean food chain will not be able to form shells, and once you have the collapse of the ocean food chain you get a major collapse of protein sources for millions of people around the world.

Yesterday we had here in the Senate the Sherpa who has three times held the world record for climbing Mount Everest. He said that the reason people are climbing Mount Everest faster is that they are losing ice and snow from the mountain because climate change is not uniform; it is twice to four times the temperatures rises elsewhere on the planet. The upshot of this is that there are glacial lakes forming and when they burst their banks they cause massive mud slides that will wipe out villages downstream. People are dying because of the current big melt in the Himalayas. He went on to say more particularly that, because one billion people in Asia rely on the melt from the Himalayas during the dry season, we are now going to find that the basins of the Yellow River, the Yangtze and so on are not going to have water in the dry season. There will not be a melt
and a billion people will be without fresh water.

This is on top of the Pacific Islands Forum, which came here recently. The Pacific Island countries were saying that they are already drowning in their own backyards, and here we have the minister trying to suggest that Australia’s targets will in some way avert that. The government knows that is not true because the minister here yesterday acknowledged that Australia bullied the Pacific Island countries to stop them putting a higher target in the Pacific Island Forum communique. If they thought their targets were so great what was their problem with increasing them to what the Pacific Island nations wanted. It is because they know full well that their targets will not achieve it.

But the 25 per cent is really the dishonesty. The 25 per cent is nowhere near the 40 per cent needed to get even 450 parts per million stabilisation. If Australia is only prepared to do 25 per cent they should name which other countries they expect to do more than 40 per cent so that Australia will be able to do less. Which other countries do they suggest should bear a bigger burden because we refuse to? While the government says ‘We care about the science,’ let us see the targets get changed to reflect the science; don’t just have a sleight of hand saying that the science says that climate change is happening and therefore accept our scheme. Their scheme locks in failure to address the scientific imperative of climate change, and the scientists around Australia and the world would agree with that position. *(Time expired)*

**CARBON POLLUTION REDUCTION SCHEME BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2009**

**AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES-CUSTOMS) BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES-EXCISE) BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES-GENERAL) BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) (CONSEQUENTIAL AMENDMENTS) BILL 2009**

**EXCISE TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009**

**CUSTOMS TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009**

**CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD ASSISTANCE) BILL 2009**

Second Reading

Debate resumed.

The ACTING DEPUTY PRESIDENT (Senator McGauran)—The question is that the amendment moved by Senator Milne be agreed to.

Senator MARK BISHOP (Western Australia) (6.14 pm)—Before recommencing my contribution to this debate I should very briefly acknowledge the remarks of the Minister for Defence, Senator Faulkner. They were indeed considered and thoughtful remarks and I look forward to reading the more lengthy statement when it is tabled and

CHAMBER
available in *Hansard*. I have two principal reasons for offering congratulations to the Minister for Defence: firstly, because of the intrinsic importance of the topic under discussion—that is, our continuing role in Afghanistan—and, secondly, because it is my view, more generally, that the more that matters are put into the public domain concerning defence outlays and expenditure and its roles the more there will be continuing public support for government activity in this area.

Returning to the topic under discussion before I was interrupted, I was developing an argument that there is huge interest in this bill. It is intrinsically different from a whole range of other legislation we have been discussing in this place for many years. The government is about reducing the level of emissions put into the atmosphere in this country and around the world. In the context of the debate, community concerns are of great consequence. I made the point that reform to date of a regulatory nature has been ad hoc. Key areas that have been attended to in the past and will be critical into the future are air, water and soil. I was about to turn to the issue of cost as part of the reform process and how this bill is centrally part of that ongoing reform process. As I was about to say, the nub of the issue now is one of cost.

As the application of that discipline is gradual, it is barely noticed. The most obvious is the rapidly increasing cost of waste disposal. Even the humble car tyre incurs a cost after use. The difficulty however, is one of scale, and in the case of the scale is absolutely enormous.

Looking back some of us may remember the controversy over the introduction of lead-free petrol. It was billed as a means of clearing the atmosphere in our major cities and it was indeed, at that time, a significant cost to industry. Those costs included more sophisticated refinement of fuels, new distribution facilities and changes to the engineering of all the internal combustion engines which drive our motor vehicle fleet. The oil industry was aghast—notwithstanding the experience overseas in Europe and the United States. The motor industry complained about it too, even though they knew then that the technology existed. The consumer of course battled with the allegations of these vested interests.

In the end, we weighed up the costs and the benefits and accepted that the obvious benefits, which we currently enjoy, were worth paying for. The economy successfully absorbed the cost and now it is not even remembered. The effect is we see blue skies again in our cities. The arguments brought by the vested interests, understandable from their narrow business point of view, now seem trivial. That is exactly where we are currently on the bill before the chair. Additionally, the reform proposed is more than a simple regulatory approach focusing on specific emissions. It is a scheme which is systemic, all-embracing and integrated into the economy, consistent with the sound principle of user pays. It accepts there is strong global and domestic consensus and indeed many governments are heading right down the same track.
The real questions, as many have alluded to, are ones of timing and scheme design. With respect to timing, when there is radical change, there is never a good time—except, of course, that prevarication and procrastination, which are the key tools of the naysayers opposite, are simply not tolerable any longer. Even the convenient excuse of the current state of the world economy does not look much like it is going to continue holding up. The scheme design in fact recognises the need for industry and the community to adjust to the new regime. The targets set are modest—deliberately so. Equally, the pricing regime is flexible. The whole scheme is designed to establish the basics with minimal threats and then to progress over time to a more robust model. By then we will have gained our own experience and be able to learn from the experiences of others. We can come to better understand these costs, the practicalities of implementation and the need, I am sure, for ongoing research. That should include the links between carbon releases, global warming and climate change.

This evidence needs to be bolstered because the risk is, if Australia is relieved of serious drought, the matter might disappear off the radar. That is a possible result of standard, short-term thinking to which governments must not succumb, particularly in this difficult area of public policy. For some this is a brave new world. I have tried to show today that it is not. It is simply nothing more than a continuation of past policy, in a more holistic and integrated form than we have previously known and, of course, on a larger scale.

It does not preclude in any way continuing ad hoc regulatory reform of the kind I referred to earlier. In fact, I suspect some of that is going to be essential. We need to recognise a market model such as this scheme will have its own imperfections, as market models do. We do not know all the possible impacts, domestically and internationally, as our predictive capacity is somewhat limited by experience. However, the consensus around the world is that a start must be made. The time for procrastination is over, and leadership is demanded.

For my own part, the issue of most concern is the comparative disadvantage new costs might impose in the short term on our international competitiveness. We need to make sure that the developing world, as well as China and India, realise quickly that they too must invest as we propose to do. If they do not act as good citizens of the world their own environmental circumstances and their own populations will indeed mandate that they do act in such a way in due course. China, it must be said, is at least already showing some recognition of this domestically, and other external pressures will obviously shortly come to bear. So the critical matters for me are: firstly, to ensure that the scientific rigour continues to be applied to the basic propositions underpinning this scheme, simply for its own internal credibility; and secondly, to ensure that the cost structures are closely monitored so that Australian industry is allowed to adapt without losing its competitiveness. Ultimately, this model has to be self sustaining. For those who prefer procrastination, the burden will be theirs. And, may I add, it is excruciating to watch the sheer stupidity of those opposite, who after all this time and through this continuing debate still prefer not to offer any real alternatives. At least the National Party understands what straddling a barbed wire fence means. I commend the bills to the Senate.

Senator HEFFERNAN (New South Wales) (6.23 pm)—There you go. If ever there was a speech that said nothing and if ever there was a series of speeches that gave mission statements that meant nothing, we have it had them here from the other side.
today. This mob want to build a plane, a new-age aircraft, but they are going to forget to put the wings on it. They think that it will take off without wings. No-one on the other side, no-one in the Department of Climate Change and no-one at the estimates committees can even answer the question of what the questions are that have to be answered on agriculture and what the hurdles are that have to be jumped before we can tell agriculture whether we are in or out. They said, ‘We’ll give the answer in 2013 and then in 2015 we’ll implement it.’ This mob do not know. They have not considered agriculture. There is not one person on the other side who lives and/or makes a living in the bush. Not a soul. They would not know where the sun comes up in the bush if you did not point to it. This is agriculture; these blokes have not got a bloody clue, pardon my language. In the white paper, the government indicates that if the 2013 decision excludes agriculture and bear in mind that if the Waxman bill gets through the US Senate, America’s farmers are going to be in on the credit side and out on the debit side, which is precisely what we should do here. But in the white paper they say, ‘If the 2013 decision excludes agriculture, mitigation measures should still be applied in agriculture which result in costs of emissions similar to those under the scheme.’ They want to have their cake and eat it, too.

The science on the future is sending a signal to the world that Mother Earth is the referee of all of this. What Senator Milne said is right: if the science is correct and consistent, there will be a billion people downstream from that watershed who will be short for water. You do not have to believe it, but you have to do something about it; you have to have a plan; you have to have a contingency for the variability and vagueness of the science. The science on the future says that in 50 years time 50 per cent of the world’s population, if we grow to nine billion, will be poor for water; there will be a billion people unable to feed themselves; 30 per cent of the productive land of Asia will go out of production; the food task will double; and, get this, 1.6 billion on the planet could be displaced.

The one thing that everyone takes for granted in this debate is the modelling on energy and the impacts on coal, gas and all the rest of it. No-one is worried about food. Everyone takes it for granted that if you go to Coles, Woolies or Aldi and you go down the right aisle you will get bread, the veggies and the meat. Let me tell you: in the future, what is in your fridge is going to be more important than what is in your garage.

Senator HEFFERNAN—My mother will be on to me next thing. Bear in mind that the government cannot even tell us what the questions are. I have asked these questions in estimates to try to get a decision on what the questions that have to be answered are. Bear in mind that if the Waxman bill gets through the US Senate, America’s farmers are going to be in on the credit side and out on the debit side, which is precisely what we should do here. But in the white paper they say, ‘If the 2013 decision excludes agriculture, mitigation measures should still be applied in agriculture which result in costs of emissions similar to those under the scheme.’ They want to have their cake and eat it, too.

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I want to address two issues tonight. We need to allow science to catch up. If you have any brains, when you drive into a fog, you turn your lights on and slow down. That is what we ought to be doing. We should recognise the problem, recognise the danger, but give time for science to catch up. There is an MBD company which has had an algae proposition go through the science build stage and move to commercialise up stage. If that comes on stream, every coal fired power station on the planet that applies that process, which downstream provides—through the CO2 extraction—zero emissions, will have a biofuel base and a feedstock for feedlots. If that happens, if we allow energy to catch up, it will completely alter the sums on global CO2 and what will happen. That is just one.

We can also go to energy through thorium. If we put the money that is going into pink batts into the development of thorium, we could bring it forward with a bit of intensive science. Australia has the world’s largest supply of thorium, a non-plutonium based next generation after uranium nuclear source. And we have the Indians out here trying to buy up our resources without telling anyone. We could have that sort of electricity generation.

We ought to let technology catch up and we ought to slow the debate down. How ridiculous is it to try and pass this legislation through this parliament before we even know how it is going to impact on farmers? They take their food for granted. But at $17 a tonne, if farmers are included, most irrigated dairy farmers are insolvent.

When bottled water, which has got less than a cent’s worth of water in it, is sold for $2.50 and milk is cheaper—when you have to get out of bed at four o’clock in the morning to milk the cow—it is stupid. It is stupid. How can you make that decision when this government does not even know what the questions which have to be answered are? But it wants to include us and give us the answer later. How ridiculous is that? Where are we going to go? Where is the food task going to be met? At $40 a tonne, 30 per cent of the production cost for beef and mutton is the tax. You are going to put us out of business.

The CSIRO is already doing work, which is included in Science of the Future, to meet the global protein task—part of the food task—with fish protein. But noone in this debate is giving serious consideration to the impact on agriculture of the legislation that is before the parliament now. In fact the government have ducked the question, because they are saying, ‘We will give you the answer in 2013.’ What they are doing is telling our farmers that, when they go to the bank to renegotiate their mortgages and the bank asks, ‘What about this tax that is going to be imposed in 2013 which might mean 30 per cent of your production cost is just the tax?’ they are supposed to tell the bank, ‘We will tell you in 2015, old mate.’ And you expect the bank still to extend the credit line to farmers! I think that deserves an expletive, but I will not use the expletive.

Can I ask, if the government is listening—and noone on the other side has talked about agriculture yet—wouldn’t it make sense to give consideration to having farmers in on the credit side so that, if you do rotational grazing, zero tillage or annual perennial farming, you can get some credits? How do you calculate that? This is why the Waxman bill has excluded beef. India has 250 million cattle—a quarter of a billion cattle. Australia has 28 million. Brazil has 3½ times what Australia has and America has slightly more than that. India has more cattle than Brazil, America and Australia put together. Why
would we go in with our 28 million cattle—and by the way our sheep herd has gone to 70 million from 210 million—if India has 250 million cattle which they pat and milk and do not eat? Why would we put ours in if we want to keep ourselves in business? How ridiculous is that? How corny is the thinking?

I cannot believe that, when we went to the Climate Change Committee, they just sat there with dumb faces and did not know any answers. ‘Let’s talk about energy,’ they said. They do not have any answers. So the government have to tell agriculture where farmers are up to before we make this decision, whether it is before Copenhagen or after Copenhagen. At the present time, they have no idea and I have not found one person in the government that can answer the question—not one person in the opposition that can ask questions of the bureaucrats to get an answer on what it all means because the bureaucrats do not know. They have said, ‘We will tell you in 2013.’ It is absolutely stupid.

I turn to something that came up today. A company that came in today wants to do something that is unique to the world—coal gasification and fertiliser production. This is the stupidity of where we are. Under what is proposed, and I am going to talk in detail on this, the company cannot start that process. A $50 million tax is going to be applied. Here is what they propose—and I have to say there is work for the government to do on this, on sovereign issues. A company is restricted in the amount of output of a fertiliser plant which can be sold in Australia. It may produce up to a couple of million tonnes, but they can only allow seven or eight per cent of that to be sold in Australia. If there is one thing that Australia needs for its farmers, it is competition in the fertiliser market. So these fellows are at a serious disadvantage. They are proposing to build a plant which will mean a couple of million tonnes of fertiliser a year and only 100-odd thousand tonnes of that will be allowed, under what is proposed, to be sold in Australia.

I would like to go to the debate on emissions-intensive trade-exposed activities. There has been much criticism in the media in recent days about the failure of Rudd government Minister Wong to focus on the details of their proposed pollution reduction scheme. There has been a feast of motherhood statements. We met today with Rio Tinto. Rio Tinto ought to be out the front of the building, instead of sneaking around corridors here having meetings that they do not want exposed, about the problems that they are going to be presented with. The same goes for Mitch Hooke and his mob. They should have all the people who are going to lose their jobs out the front here holding up placards, not sneaking around the corridors here with some sort of merge deal with the CFMEU saying, ‘Oh no, don’t get offside with the government even though we are going to lose all these jobs.’ How ridiculous is that?

We on this side of the chamber believe in looking at the detail of this scheme. No one wants to go to the detail: ‘We will give you the detail later. It will be in the regulations. She’ll be right, mate. Go and have a beer.’ The biggest economic reform package that this country has ever seen deserves close scrutiny and debate, and we have not had that debate yet. We have had a lot of point scoring politically. We have not gone into the details. As I say on agriculture, no one has a clue. No one has a clue what it means, but it has the potential to put our farmers out of business. So let’s look at the detail. Let’s have a debate about the detail. What is the hurry? We have plenty of time.

This is a bit like the apology. It had to happen for our Indigenous people, but for a
lot of people it was sort of like: ‘Let’s do it and get it out of the road.’ So we did it and got it out of the road. Now please explain to me how any Indigenous people are any better off. Every year I talk to thousands of Indigenous people who are mates of mine, but please explain to me how they are any better off and how the disgusting conditions they live in in the Northern Territory, where there are 7,000 kids that do not have access to a high school and there are 17 people to a home—when we allegedly have between $700 million and $800 million to build homes—have improved. How are they any better off now we have apologised? It is a disgrace.

This is the same thing. This is going to confession. We all feel guilty—80 per cent of Australians feel we have to do something about it, but there would be 75 per cent of Australians who have no understanding of what it means and how it is going to happen and how it is going to affect them. But, yes, we will all go to confession with: ‘Don’t worry about the details; we will just get it out of the road.’ That is what we are doing.

I want to focus on one very important part of the detail of the proposed scheme and it relates to how our emissions-intensive trade-exposed industries work out their carbon liabilities in this scheme. If I do not finish this, I would like to table what I have left.

One of the stated rationales for providing an EITE assistance package is to avoid carbon leakage and to compensate Australia’s emissions-intensive trade-exposed industries for the costs they will incur in competing on price with nations that do not face a carbon cost. As I understand it, for each emissions-intensive trade-exposed activity the government will publish an allocative baseline. These allocative baselines are for EITEs in determining what their carbon liability will be, the number of permits they may purchase and the number they may be entitled to receive for free. So these allocative baselines will determine the bottom-line impact of the scheme on every EITE, emissions-intensive trade-exposed, industry operating in the country and how every new one considering investing in Australia today will be affected.

These allocative baselines are the key for EITEs in determining all of this. So where are these allocative baselines? Where is the detail of this most important element for the future operating costs and price impact of our emissions-intensive trade-exposed industries and their bankers and everyone else down the line in their business model? The government gives as one of its reasons for passing this legislation this week the need to give certainty to industry. I hope the government are listening, but they turned off a long time ago. They have turned this into some sort of low-grade, cheap, political ambush. Yet the detail of these allocative baselines is not in the legislation before us. There is no sign of them. The government says it will put these all-important baselines, which determine the bottom line for the emissions-intensive trade-exposed industries, in the scheme regulations, for God’s sake. But so far they have only released eight, and for those eight they merely communicate the end result of their decision. If you go to the table on pages 20 and 21 of the exposure draft regulations you will see it.

Of further concern is that the rules for making these allocative baselines were clearly stated in the white paper but these all-important rules have not been included in the legislation—and, please, why not? Is it like agriculture and they do not know the answer and are trying to dream it up? The Rudd government talk all the time about the importance of transparency and accountability. It seems odd, therefore, that they would leave out this important detail. These people need
to know. In the interests of transparency in government decision making and of providing business certainty, these rules should be included in the legislation. This is flawed legislation. This is dozy.

I understand that these allocative baselines are meant to be technologically and feedstock neutral. I also understand that these allocative baselines are meant to be made in reference to Australian historical emissions data but that, where an Australian EITE industry is made up of one or a few entities, the international emissions data for that activity will also be used to set the allocative baseline. The reason for this, and I quote from the white paper, is ‘so as not to result in more or less favourable treatment of activities in where there are few Australian producers, compared to industries where there are many’. This makes sense as, after all, Australian EITEs, whether existing or potential, are competing globally and should be assessed accordingly.

I have recently heard of several instances where it is believed that the government’s intention is to ignore its own guidelines and set these allocative baselines with reference to only one possible feedstock instead of considering the full range of feedstocks used here and globally to produce any EITE product. How cuckoo is that? We all know that natural gas has fewer emissions than coal. We also know that Australia has an abundance of coal and more limited supplies of natural gas. So what would be the effect of setting allocative baselines for an activity that can use either natural gas or coal as a feedstock in reference only to natural gas emissions? We are talking here about non-power uses of coal, of course. It would mean that those EITEs who use coal to produce product A would be required to purchase disproportionately higher numbers of permits compared with EITEs using natural gas for producing exactly the same end product. An allocative baseline set out in this way clearly disadvantages coal, even low-emissions coal, and reduces the international competitiveness of industries that depend on it. Yet the government says it wants a low-emissions future for coal.

The government ought to allow technology to catch up for coal. That is the better solution. Slow down and put your lights on and let technology catch up. For God’s sake, technology will catch up. Farmers now do zero tillage farming. Twenty years ago you ploughed the paddocks three times before you put the crop in; now you do not plough it at all. We have Spanish and Israeli technology that is 40 times more efficient than the old furrow irrigation. Let technology catch up and solve this problem. What is proposed here is to send the message that we are on the ball. Everyone wants to do something about Mother Earth’s interpretation of how we are destroying the earth. She is the referee and we have to fix it up or we will all be ruined. But let us give time to technology to catch up. I quote a recent statement by Minister Wong:

When it comes to coal what I would say is this, if you are serious about action on climate change, then you have to find a lower emission solution for coal.

… … …

We have to find lower emissions technologies …

That was Penny Wong on 6 August 2009 in a doorstop interview at the Pacific Islands Forum. Even she says we have to do it. For God’s sake, why doesn’t the government listen to her? This is crazy. What is the hurry? Turn the lights on and slow down; we are in a fog. They are in a power dive. They are flying in cloud and are in a power dive. They ought to be flying straight and level. And they are trying to build a plane without wings, for God’s sake.
There is technology in the pipeline to solve these problems. If I were in charge in a philosophical sense I would shoot two out of three lawyers, but there are lawyers and bankers who see this as the new feast coming. This is the new river of gold. We should slow down and let technology and hardworking scientists provide a solution for the planet, not hand it over to the bankers—thanks very much.

Senator RYAN (Victoria) (6.43 pm)—I appreciate the Senate’s time is precious and I will not recite all the arguments that have been so eloquently explained by my colleagues, including my predecessor here, Senator Heffernan, with his discussion of the impact of the Carbon Pollution Reduction Scheme Bill 2009 and related legislation will have on agriculture. There are several issues I wish to highlight that go to the heart of the reasons as to why this is the wrong legislation at the wrong time, and it contains the wrong approach to dealing with this problem. I would like to state at the outset that this is a debate about this particular legislation; it is not a debate about climate change or the science underpinning it. The government’s constant attempts to confuse these issues only signal their own insecurity and their lack of faith in their own proposal.

First and foremost, these bills are a massive tax grab. The budget papers show that in 2011-12 in cash terms this government will collect just under $2 billion in extra taxes as a result of this legislation, rising to just under $12 billion a year later. In simple terms, this is a new tax. This is a new impost and it is not being undertaken in a revenue-neutral way, as previous tax changes have been. The government will use only half this revenue—or approximately that—in providing assistance to households. Apart from undertaking a massive churn of funds from the private to the public and back to the private sectors, with the associated economic dead-weight cost that that involves, this represents a huge new revenue stream for government. As we have seen this week, such a tax grab is not necessary to achieve these ends. It is the choice of this government to undertake it and it is consistent with this government’s approach: if it moves, regulate it; if it does not, tax it. This government sees the ETS as an opportunity for a dramatic and historic expansion in the role of government in the lives of all of us across Australia.

Secondly, this tax grab is directly related to the second major flaw in this legislation. Sadly, it is an issue all too familiar to the Labor Party and to those who have lived under their governments. For all the wrong reasons, it provides a massive opportunity for patronage. I thought that the governments had learnt from decades of misadventure and miserable failure that they should not try to pick winners in our economy. Governments are terrible at predicting the fruits of human innovation. But, with a third of the funds from this revenue stream going to industry assistance, the government is trying to do just that. And, as Senator Heffernan pointed out, the regulations that underpin the detail and the operation of these bills are also missing and we are apparently meant to await those.

But failing to pick winners with taxpayers’ money is not the worst of this patronage. That, I fear, underestimates Labor’s potential to use this very opportunity for its own sectional ends. When government has been granted the power of life and death over economic activity, over particular industries or particular businesses, this temptation has sadly proven to be too great, especially for the Labor Party. We only have to look up and down the eastern seaboard and at those Labor state governments to see what the opportunity for such patronage leads to, and it has been in the press lately: Labor ministers, Labor connections and Labor mates all having a
covert influence over policy and decisions at the expense of the public interest. This legislation is unnecessarily interventionist. It taxes too much and it dramatically increases the role of the state in our economy. Whenever the government has the ability to make or break an industry or company, that is simply too much power. We have seen the changes the government has made to its own proposal over the last six months, and these very changes illustrate the power that the government is trying to accrue to itself to direct economic activity.

There is another concern I have with this, and it is about one of the justifications the government uses for this legislation. It is the saddest part of the legislation. It represents its betrayal of working Australians. It is the false hope of green jobs. Just like its Centre Left brethren around the world, the Labor government and Senator Wong recite the mantra of so-called green jobs as if this washes away the job losses that this legislation directly causes. Repetition and spin, however, will not wash away the broken dreams that this unemployment will lead to. It is this farce of so-called green jobs that lies at the heart of these claims. There may well be jobs created—and they may be created in new industries, including renewable energy—but at what cost will these jobs come? How many jobs will be lost as these jobs are created? The evidence is beginning to show that green jobs are a furphy. They may well be developed, but they will come at the expense of other jobs and they will provide no net benefit. A job that exists purely as the result of a public subsidy or that comes at the expense of another job is not a new job. Government created and funded jobs do not add to our economic wellbeing. They may benefit the select and lucky few, but they come at the expense of everyone else unless they add to overall jobs. So we need to be very careful about such claims.

Indeed, recent research out of Spain paints a very worrying picture. A study of the effects on unemployment of public subsidies of renewable energy sources by Gabriel Calzada Alvarez PhD from King Juan Carlos University in Spain outlined this in gruesome detail. In a chapter titled ‘The economics of artificial job creation: a calculation of the cost of green jobs on the rest of productive activity’, he outlined exactly how the creation of these green jobs has come at the expense of other jobs. Indeed, they depend upon the destruction of those other jobs. In the Spanish example, there was a cost of US$774,000 since 2000 for each green job that had been created through renewable targets and mandated targets. It is a cruel hoax to rely on the promise of green jobs as a basis for this legislation without being entirely frank to those in our community who will lose their jobs, to the cost of the rest of the economy and to the cost of thousands of families and individuals.

Debate interrupted.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator McGauran)—Order! It being 6.50 pm, the Senate will proceed to the consideration of government documents.

Department of Agriculture, Fisheries and Forestry

Senator BACK (Western Australia) (6.50 pm)—I move:

That the Senate take note of the document.

This is the report on livestock mortalities during export by sea for the previous six months, January to June 2009. I wish to draw the Senate’s attention to the excellence of these figures, which are demonstrated in the report by the Department of Agriculture, Fisheries and Forestry for the six-month period. They show that for the export from Australia of some 400,000 cattle they en-
joyed a rate of safe arrival of some 99.9 per cent. For the 1.9 million sheep, there was 99.2 per cent success. Having had many years as a veterinarian in this trade, I draw the Senate’s attention not only to the fact of the actual delivery rate but also to the gross live weight of animals that arrived. In the 10 days in the case of cattle or in the up to 30 days in the case of sheep, we typically see a significant increase in the actual live weight of the consignment. In fact, the end customer gets well in excess of 100 per cent of the actual purchase weight of the animals. What is most gratifying is that these figures are consistent with, and in fact even improve on, the success rate of deliveries of cattle and sheep from our shores over the last few years.

I draw the Senate’s attention to the importance of this trade. Approximately $1 billion a year of gross regional product can be directly attributed to the trade itself, with a further $1 billion approximately from those associated with the trade in our regions. The number of direct employment positions for people in this trade around Australia is conservatively estimated at 11,000, with anything up to 13,000 or 14,000 indirect positions. Of course, these are in areas where alternative employment is certainly not readily available.

I commend this trade to the Senate. It is one that has now become mature. It is one in which Australia is a leader, and that is for several reasons. The first is food security, particularly for our neighbours to the north, in Indonesia, to where we export most of our cattle; it has become a very important source of protein. We are now exporting live cattle to Israel and Libya, and they are very, very satisfied not only with the numbers but also with the quality and the disease-free status of our herds—and our flocks—here in Australia.

Food security is critically important. A question often asked of us now and one I was asked when I was in the trade is: why don’t we replace live animal exports with meat exports? The answer is that there are significant exports of chilled and frozen meat from our shores and it complements, not replaces, the live animal trade. In the past, we in Australia have got a degree of arrogance when we have tried to dictate to the end customer what we may or may not deliver to them. I know from my own experience that, for Islamic religious and other reasons, they actually demand the live animal in many circumstances. Of course, if we will not supply the trade, there are many others who will and who already do.

The second point to be made about is that tremendous advances have been made in husbandry techniques in these regions as a direct result of Australia’s intervention by way of training, assistance and leadership. In fact, the only country that is actually providing these services, this advice and this commitment of moneys is Australia. I have myself observed since the mid-1980s, when I was actively travelling to the Gulf on livestock carriers, the improvement in husbandry, in vaccination technologies and in the actual workforce in that region and of course the significant improvement in the welfare of the animals at the other end. I can assure the Senate that the quality of welfare from the farms to our feedlots, from our feedlots to ships and from the ships themselves is of the highest order—and thus it will always be. Australian stock officers have always been much sought after in the trade, wherever it takes place around the world.

The other point that is often not understood when people ask about chilled or frozen meat in those regions—and I have experienced this myself in the Gulf, in Fujairah—is that, in the heat of their summers, very often their electricity grids are not ade-
adequate to provide power 24/7. I have in fact had the experience of a complete consignment of chilled meat from Australia having to be discarded because the chillers did not have adequate power to remain active for a 24-hour period. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Consideration

The following order of the day was considered:


General business orders of the day nos 6 to 10 and 12 to 19 relating to government documents were called on but no motion was moved.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator McGauran)—Order! There being no further consideration of government documents, I propose the question:

That the Senate do now adjourn.

Clean Start

Senator PRATT (Western Australia) (6.57 pm)—I rise this evening to commend cleaners involved in what is known as the Clean Start campaign. They should be proud of what they have achieved since the launch of their campaign in the office buildings of CBDs across Australia and New Zealand. At its heart this campaign is about respect: respect for cleaners and the work that they do—work that enables others, including us in this place, to work in a safe and pleasant environment. Often we have not met the people who perform this work, which is so often done outside business hours; but, when we come in at a more reasonable hour, we all benefit from its results. It is about valuing that work and ensuring that it is done under fair and safe conditions for a fair reward. It is about giving those who perform this essential role some security and stability in their employment and some say in how their work is allocated and performed. It is also about the vital role that their union, the LHMU, plays in supporting, organising and advocating for these workers. It is an industry where so many workers are casual or part-time employees, with many from non-English-speaking backgrounds. Many refugees get a start in Australia by working in this sector.

The harsh reality is, though, that historically these workers have been vulnerable to exploitation and that many otherwise reputable employers, governments included, have for too long engaged contractors that force their employees to work in unfair and unreasonable working conditions, conditions that do not give cleaners the chance to do their jobs properly, let alone reward them adequately for their work—for example, forcing them to clean around 1,000 square metres of office space an hour, which is the equivalent of four suburban homes. It is little wonder that more than half of all cleaners say that they do not have enough time to do their jobs properly. Other unreasonable conditions include allocating them shifts as short as two hours so they are forced to take on myriad separate jobs to support their families and paying them as little as $302 a week for part-time shifts, a fraction of the salaries earned by those whose offices they clean.

So at negotiating tables, on the streets, on television, on the internet and at meetings with ministers and members of parliament, cleaners have advocated for the last three years for the rights that many other employees take for granted. During the last parliamentary sitting period, I met and spoke at length with a number of these very effective and ardent campaigners. I would like to acknowledge Robert Bancroft and Lesley
Flowers from WA, Allan Spank from South Australia, Bikash Basuet from New South Wales and Wendy Hand from Tasmania. I heard firsthand about their conditions of work and their campaign for change for a sustainable cleaning industry focused on quality outcomes and secure employment.

The Clean Start campaign has led to the development of a cleaners charter. Cleaners have worked hard to secure support for the charter from responsible cleaning contractors across Australia. The charter recognises the critical role that cleaners play in the contract cleaning industry and enshrines for them basic rights, such as freedom from discrimination, bullying and harassment at work, the right to a safe workplace and the right to protection from unfair dismissal. It also recognises their responsibilities, such as their responsibility to cooperate with each other to perform the terms of their employment in good faith and their responsibility to cooperate with their employers to improve workplace safety.

The charter embodies the principle that reasonable working conditions produce good faith in the workplace and help lift standards in the cleaning industry. This is for the benefit of everyone—cleaners, cleaning contractors, building owners, tenants and occupants. I am pleased to say that the charter has recently been incorporated in the new Clean Start union collective agreement. This agreement is the result of 12 months of bargaining between responsible cleaning contractors and cleaners supported by the LHMU. It is delivering reasonable workload, four-hour minimum shifts, job security at change of contract, fair leave, annual wage increases of between four and eight per cent over four years, proper induction and on-the-job training, and effective dispute resolution procedures.

Cleaners are currently working hard to ensure that all cleaning contractors sign onto this collective agreement, which represents the next critical step in the campaign to secure respect for some of Australia’s most exploited workers. So far, the majority of cleaning contractors have signed up nationally, including Academy Services, Clean Domain, ISS Facility Services, Menzies Cleaning and Spotless in my home state of WA. As a result, cleaners working in office towers owned by the Commonwealth Bank now receive fair pay, improved job security and more reasonable conditions.

As a result of the Clean Start campaign, contractors and their clients are finally realising that the cleaning industry cannot sustain a race to the bottom. Traditionally, cleaning contracts have been awarded based on the lowest possible quote, resulting in a squeeze on wages and on cleaning standards. It seems like companies themselves have little choice but to cut wages and conditions in order to compete with other companies. It is so important that this now starts to change.

Traditionally, there has been too little time allocated for the job to be done, and contracts fell apart because cleaners left feeling stressed and underpaid and because customers were dissatisfied with the service they received. Clients have borne the costs of recontracting their cleaning services, while cleaners have moved from one insecure and unsatisfactory job to another. The Clean Start campaign has shown that it does not have to work that way, that there is a better way—a way to ensure that cleaners have appropriate wages and conditions and that the time and resources are allocated to the job to get a quality result.

Cleaning companies which have signed up to Clean Start can assure their customers that they are able to provide a quality service, enhancing the quality of the cleaning pro-
vided, the stability of the workforce and the satisfaction of clients and tenants. It helps minimise the risks associated with poor quality cleaning, such as OH&S risks and other liabilities. Cleaning costs are a very small part of building operation costs, but good service can have a big impact on the health and safety and the general wellbeing of tenants.

Clean Start recognises responsible contract cleaners, helps to prevent a race to the bottom and sets new standards for the cleaning industry in the process. It may be hard for a business, NGO or government organisation in need of a cleaning service to know what is reasonable and what is not when it comes to a cost-effective and quality cleaning service, but now we have a benchmark. By choosing a Clean Start provider, they know they are signing up for a quality standard, while also being able to judge the competitiveness of the contract against both cost and quality benchmarks.

On that basis I am delighted that the Deputy Prime Minister has announced that the Australian government is joining the Clean Start campaign. I would like to highlight that this really is in the context of our commitment to the Fair Work principles. At the end of last month the Minister for Employment and Workplace Relations, the Hon. Julia Gillard, met with cleaners in Sydney and discussed the government’s commitment to ensuring that only cleaning contractors that meet the Fair Work principles will be awarded Commonwealth contracts. The Commonwealth government is also requiring all contractors who are submitting tenders to provide information about how they comply with the Fair Work principles. So other than just signing up to Clean Start, it is about putting our money where our mouth is and making sure that we treat people fairly.

I think there are other occupations that would benefit from a similar approach to Clean Start. I would like to highlight the hotels’ campaign that is going on at the moment. I really think that this kind of partnership is of benefit to both workers and those who employ them in terms of the quality services that they gain.

**Home Insulation**

*Senator FURNER* (Queensland) (7.07 pm)—On a warm winter’s morning in June like only Queensland can deliver, in the seat of Dickson, along with the Minister for the Environment, Heritage and the Arts, the Hon. Peter Garrett, and other state and council dignitaries, I was there at the opening of Bradford’s latest insulation plant. After doing a plant inspection with company and parliamentary representatives, the CEO and Managing Director, Jeremy Maycock, spoke to the gathering regarding the commitment of the company to manufacturing sustainable energy efficient solutions for our environment. Jerry indicated that when the company initially announced the construction of the facility in June 2007, it was their original intention to start production early this year with only one shift and slowly build up from there. We now know that he and the company have been proven wrong, with the plant already running at full capacity, 24/7, which is obviously good news for jobs in Queensland and in the local Brendale industrial area in Dickson.

In fact, the company has engaged 70-plus employees since the plant commenced. The 70th employee, Adam Locke, who five weeks before his commencement with Bradford was doing part-time work on golf courses, indicated that the job fitted his family lifestyle, with four days on followed by four days off making it the perfect job. His employment fortune is part of this government’s excellent initiative, the Energy Effi-
cient Homes package, which is targeted at providing 2.9 million homes throughout Australia by 2012 with free insulation. With a rebate of $1,600 for each homeowner, many will have their homes insulated at no cost. Additionally, for renters, up to $1,000 is provided to eligible landlords and tenants to install insulation in private rental and other properties, including holiday homes, with little or no existing ceiling insulation.

Since the announcement of the package, over 25,000 people have already installed insulation, thanks to these programs which are part of this government’s $4 billion commitment to improving household energy efficiency. No doubt that figure of 25,000 has skyrocketed since the package has kicked on from 1 July this year. As of 1 July, installing insulation has been easier, with householders simply selecting a provider from the Installer Provider Register, which has been available online. Consumer protection is paramount for this government, with requirements for installers to register with the government through a simple registration process.

Notwithstanding the reduction in homeowners’ energy bills and cutting greenhouse gas emissions, the package further stimulates the employment market with over 4,000 jobs in this industry alone. Oddly enough, those opposite have failed to recognise and acknowledge this point. In the last week of the sitting period in June, the opposition mocked Senator Wong and this government’s achievements in jobs growth by claiming that they could not find even one of ‘Penny Wong’s marvellous green jobs’. What else would you expect from the opposition, Mr President. When their heads are buried in the sand, no doubt they cannot find where climate change is heading or where this government’s nation-building jobs program is succeeding.

Since the $4 billion Energy Efficient Homes package, including the $1,600 solar hot water rebate, commenced, it has already been transforming Australian homes and providing a jobs boost to manufacturing, distribution and installation during these tough economic times. Furthermore, this government has recently announced the signing of a memorandum of understanding under which the Rudd government, industry and job service providers will work closely together to ensure job seekers are connected to job opportunities under the Energy Efficient Homes package. The parties to the memorandum are the Australian government, the National Employment Services Association, Master Builders Australia, the Housing Industry Association and the Construction, Forestry, Mining and Energy Union. The memorandum will help bring about better training and jobs for Australian job seekers, including disadvantaged and Indigenous job seekers, both directly in insulation installation jobs under the Energy Efficient Homes package and as an introduction to broader job opportunities in the building and construction industry. It will also help ensure greater numbers of skilled workers for insulation installation, and for future initiatives and opportunities in the building and construction sector more generally. The agreement is aimed at maximising the thousands of job opportunities for job seekers across Australia that arise out of the Energy Efficient Homes package and ensuring that the jobs actually find their way to people looking for work.

Returning to the official opening of the Bradford insulation plant in Dickson, the Operations Manager, Andrew Rowe, showed the minister and others through the manufacturing process, providing an in-depth understanding of how insulation is made. Essentially, the insulation commences down at what they call the hot end of the plant, where
80 per cent of recycled glass is melted and added to the other raw materials—sand, limestone, borax and felspar. The furnace is an electric resistance cold-top model operating at 1300 Celsius. After this process, there are a variety of different techniques, ranging from forming chambers allowing the matt to form, to washing, curing, cutting and, finally, packaging. Besides the use of recycled glass in the manufacturing, all water used is recycled in the overall process.

The Bradford Insulation Group has been manufacturing energy-saving insulation in Australia since 1934. With extensive operations across the Asia-Pacific region, Bradford Insulation is a world-renowned leader in the insulation industry, with a long involvement in providing energy efficient solutions. So when it comes to energy saving, the environment and jobs growth, CSR Bradford and this government are on the one page. And like the two-thirds of voters who support the Rudd government’s emissions trading scheme, clearly we see an overwhelming response to another Rudd government initiative, the Energy Efficient Homes package.

**Senate adjourned at 7.13 pm**

**DOCUMENTS**

**Tabling**

The following documents were tabled by the Clerk:

[Literate Grist instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]


Civil Aviation Act—Civil Aviation Regulations—Instrument No. CASA—EX60/09—Exemption – from take-off minima inside Australian territory [F2009L03017].

Civil Aviation Safety Regulations—Airworthiness Directives—Part 105—

AD/DAUPHIN/20—Main Rotor Servo Inspection [F2009L03051].

AD/DAUPHIN/21—Tail Rotor Pitch Change Spider and Blade Horn Foot [F2009L03050].

AD/DAUPHIN/33—Lucas Air Equipment Hoist – Explosive Squib [F2009L03045].

AD/ENST 28/6—Pre-Certification Requirements – Modifications [F2009L03044].

AD/ENST 28/8—Fuselage Structure Inspection [F2009L03043].

AD/ENST 28/17—Wide Chord Tail Rotor Counterweights – Modification [F2009L03042].

AD/ENST 28/22—Main Rotor Transmission Mount Bolts – Inspection [F2009L03041].

AD/ENST 28/28—Clutch Engagement Handle Guard [F2009L03040].

AD/F406/18—Landing Gear Emergency Blowdown Bottle – 2 [F2009L03039].

AD/FA-200/27—Wing Spar Flange Corrosion [F2009L03038].

AD/HILLER 12/2—Main Rotor Blade Spar – Inspection [F2009L03037].

AD/HILLER 12/3—Tail Rotor Blade Assembly – Provision of Vent Hole [F2009L03036].

AD/HILLER 12/6—Superseded by AD/HILLER 12/11 [F2009L03035].

AD/JBK 117/32—Tail Rotor Gearbox Bevel Gear [F2009L03129].
AD/L.40/2—Resewing of Seat Belt and Securing of Tailplane Actuating Nut Lock Screws – Rework [F2009L03034]*.
AD/L.40/4—Elevator and Rudder Control System – Modification [F2009L03033]*.
AD/L.40/5—Fuel System – Modification [F2009L03092]*.
AD/L.40/6 Amdt 1—Elevator Control System – Modification [F2009L03032]*.
AD/L.40/7 Amdt 1—Landing Gear Aural Warning – Modification [F2009L03091]*.
AD/L.40/10—Fuel Line – Inspection and Modification [F2009L03090]*.
AD/MCH/3—Door Handle Operating Instructions [F2009L03028]*.
AD/MCH/4—Smoking Placard – Installation [F2009L03027]*.
AD/MCH/7—Bonding Points – Modification [F2009L03081]*.
AD/MCH/8—Cabin Trim Head Shield – Installation [F2009L03026]*.
AD/MSR/29—Engine Mount [F2009L03025]*.
AD/PA-23/93—Nose Baggage Door [F2009L03024]*.
AD/PA-31/131—Nose Baggage Door [F2009L03023]*.
AD/PA-42/26—Nose Baggage Door [F2009L03022]*.
AD/PZL/2—Aileron Attach Hinges [F2009L03021]*.
AD/WILGA/5—Fuselage Front Posts [F2009L03019]*.
AD/WINJEEL/1 Amdt 1—Rudder Pulley Bracket Assembly [F2009L03018]*.

Corporations Act—ASIC Class Order [CO 09/626] [F2009L03131]*.

Customs Act—Tariff Concession Orders—

Environment Protection and Biodiversity Conservation Act—Amendment of list of—Specimens taken to be suitable for live import—EPBC/s.303EC/SSLI/Amend/031 [F2009L03132]*.


Remuneration Tribunal Act—Determinations—
2009/10: Official Travel by Office Holders [F2009L03116]*.
Therapeutic Goods Act—
Poisons Standard Amendment No. 2 of 2009 [F2009L03013]*.
Therapeutic Goods (Emergency) Exemption 2009 (No. 6).
* Explanatory statement tabled with legislative instrument.

Tabling
The following government documents were tabled:

* Australian Research Council—Strategic plan 2009-10 to 2011-12.
* Torres Strait Protected Zone Joint Authority—Report for 2006-07.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Home Affairs: Staffing

(Question No. 1607)

Senator Cormann asked the Minister representing the Minister for Home Affairs, upon notice, on 29 May 2009:

With reference to the answer to question on notice no. 1374 and the significant falls in staffing levels of the Australian Crime Commission (ACC) since November 2007, including the reduction in total staff numbers from 761 to 591 and task force staffing levels from 52 to 19:

(1) What has been the operational impact of these reduced staffing levels.

(2) How many major investigations were being undertaken on: (a) 23 November 2007; and (b) 1 March 2009.

(3) How many task forces were operating on: (a) 23 November 2007; and (b) 1 March 2009.

(4) Have any investigations been abandoned or delayed due to staffing availability.

(5) What administrative or other services have been reduced due to declining staffing levels.

(6) Given that the annual staffing level for the 2009-10 financial year will be 505, down from 526 for the 2008-09 financial year, where will staffing cuts be made.

(7) Can the ACC absorb the loss of another 21 staff without a detrimental impact on operational activities to combat organised and other crimes.

Senator Wong—The Minister for Home Affairs has provided the following answer to the honourable senator’s question:

(1) The ACC has not ceased involvement in any operations due to changes in staffing levels. The ACC Board, comprised of State and Territory Police Commissioners and Commonwealth Government representatives, decides the strategic priorities of the ACC [which allows the ACC authority to commence investigations or intelligence operations]. The ACC CEO then allocates staff into operations depending upon their assessed priority and alignment with ACC strategic objectives.

(2) Assessment of the number of operations in which the ACC has an involvement without context can be misleading as it does not reflect the scale or impact of the ACC’s involvement. Noting this:

(a) Ten ACC Board approved investigations and intelligence operations were being undertaken on 23 November 2007.

(b) Eight ACC Board approved investigations and intelligence operations were being undertaken on 1 March 2009.

(3) (a) Two task forces were operating on 23 November 2007 - Indigenous Violence and Child Abuse Task Force and the Outlaw Motor Cycle Gang National Intelligence Task Force.

(b) Two task forces were operating on 1 March 2009 - Indigenous Violence and Child Abuse Task Force and Serious Organised Crime National Intelligence Task Force.

(4) Overall staffing resources change on a regular basis to meet operational requirements. No investigations have been abandoned or delayed due to staffing availability, however the ACC Board recently made decisions regarding the Special Investigations, Special Intelligence Operations and Task Forces to be undertaken in 2009-10, that reflect the agreed view of the highest threats from organised crime and which allow the ACC to focus its specialist capacity where greatest impact can
be achieved. This resulted in the creation of a new state special investigation and the closure of a
determination.

(5) The ACC maintains a suite of administrative services to ensure the best possible administrative
support to the staff retained in the Agency.

(6) The ACC only received a modest reduction in its overall budget for 2009-10. The ACC had the
opportunity, based on the forward estimates, to modify its business model for 2010-11. It is envis-
aged that natural attrition will likely meet the staff reductions that will be needed to come in on
budget and therefore these reductions in staff numbers are expected to occur across the agency. The
ACC will closely monitor workload to ensure that losses in any area of the agency are not dispro-
portionate or impacting on critical service delivery.

(7) The ACC’s employment fluctuates according to the particular projects that are underway and ac-
cording to how many officers are seconded from other agencies. The Special Investigations, Spe-
cial Intelligence Operations and Task Forces agreed by the Board for 2009-10 take account of an
expected reduction in staff numbers through the financial year.

Grains Research and Development Corporation and Grains Council of Australia Corpo-
ration

(Question No. 1608)

Senator Cormann asked the Minister representing the Minister for Agriculture, Fisheries
and Forestry, upon notice, on 29 May 2009:

With reference to the relationship between the Grains Research and Development Corporation (GRDC)
and the Grains Council of Australia Limited (GCA):

(1) Is the Minister aware of the current arrangements for membership of the GCA.

(2) Is the Minister aware that the Council of Grain Grower Organisations Ltd, a plant breeder, is a
member of the GCA.

(3) Does the Minister consider that it is appropriate that commercial entities can become members of
the GCA, which in turn then has a role in advising the GRDC on its investment decisions.

(4) (a) Does the Minister consider that the ongoing relationship between the GRDC and the GCA is
appropriate; and (b) is there any potential for a conflict of interest in this arrangement.

(5) How much does the GRDC contribute, directly or indirectly, to the GCA.

(6) What proportion of GCA revenues are provided by GRDC contributions.

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the
following answer to the honourable senator’s question:

(1) Yes: the Grains Council of Australia Limited (GCA) is a company limited by guarantee. Eligibil-
ity for membership is determined by the company constitution.

(2) Yes.

(3) GCA is a private company and is a representative organisation for industry stakeholders cross Aus-
tralia. Its membership is established in its constitution.

(4) (a) GCA is an organisation declared under section 7 of the Primary Industries and Energy Re-
search and Development Act 1989 (PIERD Act) to be a representative organisation in relation to
GRDC. The GCA has indicated it will start winding up from 1 July 2009. Alternative arrangements
are being investigated to ensure GRDC has an appropriate representative organisations/s as re-
quired under the PIERD Act. (b) No: GRDC R&D investment decisions are made by its independent
skills based board in accord with the National Research Priorities, the Rural Research and De-
velopment Priorities, a five year strategic research and development plan, and take into account a range of competing priorities for R&D funding.

(5) GRDC provided $100,000 between July 2008 and April 2009 to GCA to:
- meet its costs in preparing for and attending consultative meetings with GRDC.
- assess GRDC's performance against industry’s expectations.
- fund agreed projects and support the GCA's participation in key conferences relevant to the GRDC's functions.

(6) Not known: GCA is a company owned and operated by its members. The government does not have access to GCA's detailed financial statements.

Special Minister of State: Program Funding
(Question No. 1616)

Senator Abetz asked the Special Minister of State, upon notice, on 29 May 2009:

(1) Can a list be provided, by agency, of all infrastructure and/or capital works projects that fall under the responsibility of an agency within the Minister’s portfolio.

(2) For each of the projects in (1) above:
(a) when was it first announced, by whom, and by what method;
(b) if applicable, what program is it funded through;
(c) what is its total expected cost;
(d) what was its original budget;
(e) what is its current budget;
(f) what is the total Federal Government contribution to its cost;
(g) what is the total state government contribution to its cost;
(h) if applicable, what other funding sources are involved and what is their contribution to the project cost;
(i) what was the expected start date of construction;
(j) what is the expected completion date;
(k) and (i) who is responsible for delivering the project, and (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;
(l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase;
(m) why was the project funded; and
(n) what cost benefit or other modelling was done before the project was approved.

Senator Ludwig—The answer to the honourable senator’s question is as follows:

Finance and Deregulation: Program Funding
(Question No. 1622)

Senator Abetz asked the Minister representing the Minister for Finance and Deregulation, upon notice, on 29 May 2009:

Please refer to the responses to QoN 1622 asked of the Minister representing the Minister for Finance and Deregulation.
(1) Can a list be provided, by agency, of all infrastructure and/or capital works projects that fall under the responsibility of an agency within the Minister’s portfolio.

(2) For each of the projects in (1) above:
   (a) when was it first announced, by whom, and by what method;
   (b) if applicable, what program is it funded through;
   (c) what is its total expected cost;
   (d) what was its original budget;
   (e) what is its current budget;
   (f) what is the total Federal Government contribution to its cost;
   (g) what is the total state government contribution to its cost;
   (h) if applicable, what other funding sources are involved and what is their contribution to the project cost;
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   (k) and (i) who is responsible for delivering the project, and (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;
   (l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase;
   (m) why was the project funded; and
   (n) what cost benefit or other modelling was done before the project was approved.

Senator Conroy—The Minister for Finance and Deregulation has provided the following answer to the honourable senator’s question:

(1) Yes.
(2) (a) to (n) Refer attached spreadsheet.

<table>
<thead>
<tr>
<th>Project</th>
<th>Royal Australian Mint Redevelopment</th>
<th>Villawood Immigration Detention Centre</th>
<th>Fort Scratchley Historic Site Restoration</th>
<th>Commonwealth New Building Project</th>
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<th>Christmas Island Immigration Detention Centre</th>
<th>National Portrait Gallery</th>
<th>National Inter-governmental Telepresence System</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) when was it first announced, by whom, and by what method;</td>
<td>The refurbishment of the Royal Australian Mint was announced in the 2009-10 Budget.</td>
<td>VIDCR was announced in the 2005-06 Budget.</td>
<td>In October 2001, the previous Government agreed that the Commonwealth would fund works at Fort Scratchley.</td>
<td>In August 2006, the previous Government announced ASIO would move to a purpose-built building. The project was announced in the 2006-07 Budget Papers.</td>
<td>The 2008-09 Budget appropriated $33.8 million to the Department of Finance and Deregulation to complete the fit out, external works and minor associated base building works on the ANZAC Park West building (APW).</td>
<td>Cabinet decision of 18 February 2003. Project was published in the Department of Finance and Deregulation 2003-04 Portfolio Budget Statement.</td>
<td>National Portrait Gallery was published in the Department of Finance and Deregulation 2004-05 PAES.</td>
<td>Program 2.2 - Property and Construction.</td>
</tr>
<tr>
<td>b) if applicable, what program is it funded through;</td>
<td>Program 2.2 - Property and Construction.</td>
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<td>Program 2.2 - Property and Construction.</td>
<td>Program 3.1 - Ministerial and Parliamentary Services.</td>
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</table>
### QUESTIONS ON NOTICE

<table>
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<tr>
<th>Royal Australian Mint Redevelopment</th>
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<td>$66.8 million.</td>
<td>$186.7 million.</td>
<td>$10.3 million.</td>
<td>$606 million.</td>
<td>$33.8 million.</td>
<td>$317 million</td>
<td>$89.3 million.</td>
<td>$13.8 million over four years.</td>
</tr>
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<td>$41.2 million.</td>
<td>$186.7 million.</td>
<td>$4.3 million.</td>
<td>$460 million.</td>
<td>$33.8 million.</td>
<td>$197.7 million</td>
<td>$52.2 million.</td>
<td>$13.8 million.</td>
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<tr>
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<td>$10.3 million.</td>
<td>$606 million.</td>
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<td>$317 million</td>
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<td>$197.7 million</td>
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<td>$13.8 million.</td>
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</table>

#### c) what is its total expected cost?
- Royal Australian Mint Redevelopment: $66.8 million
- Villawood Immigration Detention Centre: $186.7 million
- Fort Scratchley Historic Site Restoration: $10.3 million
- Commonwealth New Building Project: $606 million
- ANZAC Park West Fit Out Project: $33.8 million
- Christmas Island Immigration Detention Centre: $317 million (Finance component only)
- National Portrait Gallery: $89.3 million
- National Intergovernmental Telepresence System: $13.8 million over four years

#### d) what was its original budget?
- Royal Australian Mint Redevelopment: $66.8 million
- Villawood Immigration Detention Centre: $41.2 million
- Fort Scratchley Historic Site Restoration: $186.7 million
- Commonwealth New Building Project: $10.3 million
- ANZAC Park West Fit Out Project: $606 million
- Christmas Island Immigration Detention Centre: $186.7 million
- National Portrait Gallery: $10.3 million
- National Intergovernmental Telepresence System: $13.8 million

#### e) what is its current budget?
- Royal Australian Mint Redevelopment: $66.8 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation (base building) = $33.8 million
    - Mint (fit-out) = $33 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation = $175 million
    - Dept of Immigration and Citizenship = $11.7 million
- Villawood Immigration Detention Centre: $186.7 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation = $606 million
    - Dept of Immigration and Citizenship = $11.7 million
    - ASIO and sub-tenant (fit-out and fit-out specials) = $258 million
- Fort Scratchley Historic Site Restoration: $10.3 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation = $348 million
    - ASIO and sub-tenant (fit-out and fit-out specials) = $258 million
- Commonwealth New Building Project: $606 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation = $175 million
    - Dept of Immigration and Citizenship = $11.7 million
- ANZAC Park West Fit Out Project: $33.8 million
  - This is comprised of the following:
    - Dept of Finance and Deregulation = $317 million
    - Former Department of Transport and Regional Services were also allocated appropriations.
### QUESTIONS ON NOTICE

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<td>f) what is the total Federal Government contribution to its cost;</td>
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<tr>
<td>$66.8 million. This is comprised of the following: - Dept of Finance and Deregulation (base building) = $33.8 million; - Mint (fit-out) = $33 million.</td>
<td>$186.7 million. This is comprised of the following: - Dept of Finance and Deregulation = $175 million; - Dept of Immigration and Citizenship = $11.7 million.</td>
<td>$9.9 million.</td>
<td>$606 million.</td>
<td>$33.8 million.</td>
<td>$317 million.</td>
<td>$89.3 million.</td>
<td>$13.8 million over four years, including $6.2 million in capital funding.</td>
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<tr>
<td>g) what is the total state government contribution to its cost;</td>
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<tr>
<td>Nil.</td>
<td>Nil.</td>
<td>Nil.</td>
<td>Nil.</td>
<td>Nil.</td>
<td>Nil.</td>
<td>Nil.</td>
<td>$4.6 million over four years in funding to be provided by the states and territories in relation to the system to reduce the Federal Government's ultimate cost to $9.2 million.</td>
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<tr>
<td>h) if applicable, what other funding sources are involved and what is their contribution to the project cost; i) what was the expected start date of construction</td>
<td>N/A</td>
<td>N/A</td>
<td>$400,000 contribution from Newcastle City Council.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>It will operate using the existing Ministerial Communications Network which is funded separately.</td>
</tr>
<tr>
<td>k) (i) who is responsible for delivering the project.</td>
<td>Department of Finance and Deregulation in conjunction with the Royal Australian Mint.</td>
<td>Department of Finance and Deregulation in conjunction with the Department of Immigration and</td>
<td>Department of Finance and Deregulation.</td>
<td>Department of Finance and Deregulation in conjunction with ASIO.</td>
<td>Department of Finance and Deregulation in conjunction with the Department of Defence.</td>
<td>Department of Finance and Deregulation in conjunction with the Department of Immigration</td>
<td>Department of Environment, Department of Finance and Deregulation.</td>
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QUESTIONS ON NOTICE

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<tr>
<td></td>
<td>Citizenship</td>
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<td></td>
<td>N/A.</td>
<td>N/A.</td>
<td>N/A.</td>
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<td>N/A.</td>
<td>N/A.</td>
<td>N/A.</td>
<td>N/A.</td>
<td>N/A.</td>
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</table>

k) (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;

No. No. No. No. No. No. No. Each state and territory government will receive one telepresence unit and service and will repay their share of the costs over four years.

l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase.

The Royal Australian Mint consists of two buildings, referred to as the Process Building and the Administration Building. The Process Building was No. No. No. No. No. No. No. The project will install and support a network of 20 Telepresence sites across Australia, comprising 12 at Commonwealth locations and eight across state.
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<td>completed in late March 2009 at cost of $58.2 million. The Administration Building is scheduled for completion in December 2009 at cost of $8.6 million.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>and territory First Ministers' departments.</td>
<td></td>
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</tr>
</tbody>
</table>
Wednesday, 12 August 2009

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<td><strong>m) why was the project funded.</strong></td>
<td><strong>The refurbishment of the Process Building has addressed functionality and safety deficiencies with the current buildings and provided accommodation and facilities to meet contemporary standards. The project also includes the base building refurbishment of the Administration Building, with the fit out to be undertaken at a later stage once a Commonwealth tenant has been secured. The refurbishment will extend the useful life of the</strong></td>
<td><strong>In accordance with the Heads of Agreement signed between the Department of Finance and De-regulation and Newcastle City Council, funding was provided to restore the Fort to a condition that supports its future viability as a historic site. On completion of the restoration works the Fort was transferred to Newcastle City Council.</strong></td>
<td><strong>In October 2005, the Taylor Review recommended increasing ASIO staffing to 1,860 by 2010-11. In August 2006, the previous Government announced ASIO would move to a purpose-built building at Section 49, Parkes ACT, to accommodate the staff increases recommended by the review.</strong></td>
<td><strong>Defence currently has an office accommodation shortfall in the ACT. APW represents an opportunity to address this shortfall and increase accommodation efficiency by relocating staff from smaller, separately leased premises, into APW.</strong></td>
<td><strong>Government decided that a purpose designed and built Immigration Detention Centre should be constructed on Christmas Island in March 2002.</strong></td>
<td><strong>During the 2004 Election, the previous Government committed to construct a permanent stand-alone building for the National Portrait Gallery as part of its Strengthening Australian Art Strategy.</strong></td>
<td><strong>To reduce interstate travel and to reduce the associated travel costs, greenhouse gas emissions and to increase productivity for inter-jurisdictional meetings, including COAG and Ministerial Council meetings.</strong></td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
buildings by at least 25 years. Previously, the Mint occupied both the Process and Administration Buildings and the refurbishment has allowed the Mint to rationalise its leased space to the Process Building. The entire 3,000 square metre area of the vacated Administration Building will become available for lease to another Commonwealth tenant.
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<tr>
<td><strong>n)</strong> what cost benefit or other modelling was done before the project was approved.</td>
<td>A full financial feasibility study was undertaken in support of the approved budget measure in 2005, including a net present value analysis and rate of return.</td>
<td>Cost modelling was conducted on the project scope by an independent quantity surveyor, to provide pre-tender estimates.</td>
<td>A business case assessed the whole-life costs and operational effectiveness of several options to meet the Department of Immigration and Citizenship’s evolving onshore detention policy.</td>
<td>A review of the project’s financial viability, including a Net Present Value analysis was conducted in support of the 2008-09 Budget Measures request for funding.</td>
<td>Cost estimates were prepared for various possible configurations of a purpose built Immigration Detention Centre with a range of different bed numbers and delivery programs.</td>
<td>A business case and costing proposal was undertaken as part of the 2004-05 PAES for the construction of a new building.</td>
<td>Cost benefit modelling showed that if half the existing COAG meetings were conducted by Telepresence, the project would recover its costs in savings to government within two to three years.</td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
Human Services: Program Funding  
(Question No. 1629)

Senator Abetz asked the Minister representing the Minister for Human Services, upon notice, on 29 May 2009:

(1) Can a list be provided, by agency, of all infrastructure and/or capital works projects that fall under the responsibility of an agency within the Minister’s portfolio.

(2) For each of the projects in (1) above:
   (a) when was it first announced, by whom, and by what method;
   (b) if applicable, what program is it funded through;
   (c) what is its total expected cost;
   (d) what was its original budget;
   (e) what is its current budget;
   (f) what is the total Federal Government contribution to its cost;
   (g) what is the total state government contribution to its cost;
   (h) if applicable, what other funding sources are involved and what is their contribution to the project cost;
   (i) what was the expected start date of construction;
   (j) what is the expected completion date;
   (k) and (i) who is responsible for delivering the project, and (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;
   (l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase;
   (m) why was the project funded; and
   (n) what cost benefit or other modelling was done before the project was approved.

Senator Ludwig—The answer to the honourable senator’s question is as follows:

(1) The Human Services Portfolio agencies are not responsible for any infrastructure and/or capital works projects other than those works associated with the fit out and occupancy of leased agency premises.

Agriculture, Fisheries and Forestry: Program Funding  
(Question No. 1630)

Senator Abetz asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 29 May 2009:

(1) Can a list be provided, by agency, of all infrastructure and/or capital works projects that fall under the responsibility of an agency within the Minister’s portfolio.

(2) For each of the projects in (1) above:
   (a) when was it first announced, by whom, and by what method;
   (b) if applicable, what program is it funded through;
   (c) what is its total expected cost;
   (d) what was its original budget;
   (e) what is its current budget;

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(f) what is the total Federal Government contribution to its cost;

(g) what is the total state government contribution to its cost;

(h) if applicable, what other funding sources are involved and what is their contribution to the project cost;

(i) what was the expected start date of construction;

(j) what is the expected completion date;

(k) (i) who is responsible for delivering the project, and (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;

(l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase;

(m) why was the project funded; and

(n) what cost benefit or other modelling was done before the project was approved.

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

There are three infrastructure and/or capital works projects that fall within the Minister for Agriculture, Fisheries and Forestry’s portfolio and these are:

**BioCane Limited**

(1) The Commonwealth provided funding to BioCane Limited to assist the completion of a ‘CowCandy’ factory at Bli Bli, Queensland. (CowCandy is a form of fodder produced from sugarcane). The term of the agreement was from January to the end of May 2009.

2(a) Announcement by the Treasurer via media release on 5 January 2009.

(b) Funded under the Sugar Industry Reform Program 2004 with funds re-phased for the purpose.

(c) Total expected cost is $1.9 million.

(d) Original budget was $1.5 million.

(e) Current budget is $1.9 million.

(f) Total Commonwealth funding contribution was $1 000 600.

(g) No state government funding.

(h) Other funding through shareholder investment.

(i) Construction of the factory started in June 2006 (with previous Australian Government funding under a separate agreement).

(j) Expected date of completion of the factory is the end of August 2009 with commissioning in September 2009.

(k) The project is being delivered by BioCane Limited and the wholly owned subsidiary Australian Sugar Cane Feeds Ltd.

(l) The project was not broken into phases or stages.

(m) The project was funded as it was assessed by the Industry Oversight Group as meeting program guidelines designed to support regionally based, targeted projects that assisted in the medium and longer-term sustainability of the industry’s regions.

(n) No.

**East Gippsland Shire Council foreshore development of Cunninghame Quay**

(1) This project is jointly funded by both Federal and State governments. The project has begun and is ongoing at this time. This is a major capital/infrastructure works. This and the Gippsland Ports on
water component of Cunninghame Quay development are the only two fisheries related infrastructure/capital works projects that are being contributed to by both State and Federal governments.

(2) (a) Announced by the Minister for Agriculture, Fisheries and Forestry at Lakes Entrance 21 May 2008.

(b) Funded under the Gippsland Lakes Community Grants program.

(c) Total expected cost of the foreshore component is $1,858,100*.

(d) Original budget of the foreshore component was $1,858,000*.

(e) Current budget for the foreshore component is $1,858,100*.

(f) Total Commonwealth funding contribution for the foreshore component is $1,600,000.

(g) Total state government funding contributions for the foreshore component is $258,100 which includes in-kind and cash.

(h) Not applicable.

(i) Construction commenced in June 2009.

(j) Expected date of completion of the foreshore component is January 2011.

(k) (i) East Gippsland Shire Council is responsible for delivering the foreshore component of the project. (ii) Not applicable.

(l) The foreshore component of the project was broken into the following stages:
   Stage 1 - Scheduled for completion 31 May 2009 at a cost of $189,600*
   Stage 2 - Scheduled for completion 30 June 2009 at a cost of $353,500* 
   Stage 3 - Scheduled for completion 31 March 2010 at a cost of $475,000*
   Stage 4 - Scheduled for completion 30 September 2010 at a cost of $600,000*
   Stage 5 - Scheduled for completion 8 December 2010 at a cost of $240,000*.

(m) The Lakes Entrance fishing industry suffered a major reduction in the fishing fleet in 2007 following the Commonwealth concession buyback under the ‘Securing our Fishing Future’ Program. In partnership with the grantees these projects will create an attractive and functional harbour precinct in the heart of Lakes Entrance.

(n) Not applicable.

* Note: Figures are inclusive of Federal and State contributions, both in-kind and cash.

**Gippsland Ports on water component of Cunninghame Quay development**

(1) This project is jointly funded by both Federal and State governments. The project has begun and is ongoing at this time. This is a major capital/infrastructure works. This and the East Gippsland Shire Council foreshore development of Cunninghame Quay are the only two fisheries related infrastructure/capital works projects that are being contributed to by both State and Federal governments.

(2) (a) Announced by the Minister for Agriculture, Fisheries and Forestry at Lakes Entrance 21 May 2008.

(b) Funded under the Gippsland Lakes Community Grants program.

(c) Total expected cost of the on water component is $3,143,500*.

(d) Original budget of the on water component was $3,123,000*.

(e) Current budget for the on water component is $3,143,500*.

(f) Total Commonwealth funding contribution for the on water component is $2,850,000.

(g) Total state government funding contributions for the on water component is $293,500 which includes in-kind and cash.
(h) Not applicable.
(i) Construction commenced in June 2009.
(j) Expected date of completion of the on water component is December 2010.
(k) (i) Gippsland Ports Committee of Management Inc is responsible for delivering the on water component of the project. (ii) Not applicable.
(l) The on water component of the project was broken into the following stages:
   Stage 1 - Scheduled for completion 30 September 2009 at a cost of $206,500*
   Stage 2 - Scheduled for completion 31 December 2009 at a cost of $398,656*
   Stage 3 - Scheduled for completion 31 March 2010 at a cost of $672,656*
   Stage 4 - Scheduled for completion 30 June 2010 at a cost of $774,688*
   Stage 5 - Scheduled for completion 10 December 2010 at a cost of $1,091,000*.
(m) The Lakes Entrance fishing industry suffered a major reduction in the fishing fleet in 2007 following the Commonwealth concession buyback under the ‘Securing our Fishing Future’ Program. In partnership with the grantees these projects will create an attractive and functional harbour precinct in the heart of Lakes Entrance.
(n) Not applicable.

*Note: Figures are inclusive of Federal and State contributions, both in-kind and cash.

**Resources and Energy: Program Funding**

*(Question No. 1631 and 1632)*

Senator Abetz asked the Minister representing the Minister for Resources and Energy, upon notice, on 29 May 2009:

(1) Can a list be provided, by agency, of all infrastructure and/or capital works projects that fall under the responsibility of an agency within the Minister’s portfolio?

(2) For each of the projects in (1) above:
   (a) when was it first announced, by whom, and by what method;
   (b) if applicable, what program is it funded through;
   (c) what is its total expected cost;
   (d) what was its original budget;
   (e) what is its current budget;
   (f) what is the total Federal Government contribution to its cost;
   (g) what is the total state government contribution to its cost;
   (h) if applicable, what other funding sources are involved and what is their contribution to the project cost;
   (i) what was the expected start date of construction;
   (j) what is the expected completion date;
   (k) (i) who is responsible for delivering the project, and (ii) if a state government is responsible for delivering the project, when will the funding be released to the relevant state government;
   (l) is the project to be completed in stages/phases; if so, what is the timing and cost of each stage/phase;
   (m) why was the project funded; and
   (n) what cost benefit or other modelling was done before the project was approved.
Senator Carr—The Minister for Resources and Energy has provided the following answer to the honourable senator’s question:

There are currently six infrastructure and/or capital works projects that fall under the responsibility of an agency within the Resources, Energy and Tourism portfolio.

The Department of Resources, Energy and Tourism is responsible for five infrastructure and/or capital works projects, including:

- the Biofuels Capital Grants Program (refer to Attachment A);
- National Low Emissions Coal Initiative Projects (refer to Attachment B);
- the Australian Tourism Development Program – Competitive Grants (refer to Attachment C);
- the Australian Tourism Development Program – Regional Election Commitments (refer to Attachment D); and
- the Victorian Bushfires Tourism Industry Support Package (refer to Attachment E).

The National Offshore Petroleum Safety Authority is responsible for one infrastructure and/or capital works project, being the ongoing fit-out of new premises to relocate the National Offshore Petroleum Safety Authority’s head office in Perth (refer Attachment F).

Attachment A

(1) The Biofuels Capital Grants Program

(2) (a) The previous Government made a 2001 election commitment to a Biofuels Capital Grants Program. On 25 July 2003, the then Acting Minister for Industry, Tourism and Resources announced the decision to allocate $37 million to fund one-off capital subsidies for projects that provide new or expanded biofuels capacity. The subsidy would be provided at a rate of 16 cents per litre to new or expanded projects producing a minimum of 5 million litres of biofuels with grants limited to a maximum of $10 million per project.

(b) The Biofuels Capital Grants Program (BCGP).

(c) $24.57 million.

(d) $37.6 million.

(e) $7.162 million in 2008-09.

(f) 100% ($24.57 million).

(g) 0%.

(h) Not applicable.

(i) Construction of plants and other capital works that were funded by the program commenced after the company achieved Final Investment Decision. Refer to table under question (l).

(j) Under the BCGP, completion of a project is considered to occur following commissioning of project. Final grant payments are made on the date of commissioning, after which there are three years of production monitoring. Refer to table under question (l).

(k) (i) AusIndustry administers the program on behalf of the Department of Resources, Energy and Tourism. Applications for the program were assessed in 2003 by the then Invest Australia. (ii) Not applicable.

(l) Seven companies were selected to potentially receive funding grants. These companies, the amounts paid to them at the three payment points as stipulated in the BCGP Guidelines and the current status of
the projects are summarised below. The information related to payment Point 1 also covers question (i) and the information relating to Payment point 3 also covers question (j):

<table>
<thead>
<tr>
<th>Project</th>
<th>Funding Amount</th>
<th>Payment point 1: 25% of grant on Final Investment Decision</th>
<th>Payment point 2: 25% of grant on commissioning plant</th>
<th>Payment point 3: 50% of grant on first commercial sale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biodiesel Industries Australia</td>
<td>$1,280,000</td>
<td>$320,000 paid</td>
<td>$320,000 paid</td>
<td>$640,000 paid</td>
</tr>
<tr>
<td>CSR</td>
<td>$4,160,000</td>
<td>$1,040,000 paid</td>
<td>$1,040,000 paid</td>
<td>$2,080,000 paid</td>
</tr>
<tr>
<td>Australian Renewable Fuels</td>
<td>$7,200,000</td>
<td>$1,786,680 paid</td>
<td>$1,786,680 paid</td>
<td>3,573,360 paid</td>
</tr>
<tr>
<td>Schumer Pty Ltd</td>
<td>$2,400,000</td>
<td>$600,000 paid</td>
<td>Not achieved</td>
<td>Not achieved</td>
</tr>
<tr>
<td></td>
<td>28 February 2007</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Riverina Biofuels Pty Ltd</td>
<td>$7,150,000</td>
<td>$1,787,500 paid</td>
<td>Not achieved</td>
<td>Not achieved</td>
</tr>
<tr>
<td>Biodiesel Producers Limited</td>
<td>$9,600,000</td>
<td>$2,400,000 paid</td>
<td>$2,400,000 paid</td>
<td>$4,800,000 paid</td>
</tr>
<tr>
<td>Lemon Tree Ethanol Pty Ltd</td>
<td>$5,850,000</td>
<td>Not achieved</td>
<td>Not achieved</td>
<td>Not achieved</td>
</tr>
</tbody>
</table>

(m) To increase the production of domestic biofuels in the Australian transport market. The BCGP offered competitive grants from $800,000 to $10 million, to fund one-off capital projects that provide new or expanded biofuels production capacity.

(n) The 41 applications received for the BCGP were assessed by Invest Australia. Applications were assessed against five risk factors:
- Financial risk
- Supply (or feedstock) risk
- Technology risk
- Regulatory risk (covering site, licensing and environmental approvals) and
- Off take risk

A financial analyst was engaged to examine the financial models which needed to run to at least 2018 to allow proponents to demonstrate viability in a post excise environment. Financial models were checked to ensure that they were consistent with the business case and that the assumptions and numbers were able to demonstrate the project was viable.

Attachment B

(1) National Low Emissions Coal Initiative Projects, including:
- Post Combustion Capture Project in Victoria;
- Post Combustion Capture Project in NSW; and
- Pilot Coal Gasification Facility in Queensland.

In respect of the Victorian and Queensland projects, funding details are not known at this time. Further details of funding arrangements in respect of the Post Combustion Capture Project in NSW have been provided below.

(2) (a) when was it first announced, by whom, and by what method:

These projects were announced by the Hon Martin Ferguson AM MP at the official launch of the National Low Emissions Coal Initiative on 28 July 2008 at Parliament House.
(b) National Low Emissions Coal Initiative.
(c) NSW – approx $150 million.
(d) NSW - $150 million.
(e) NSW - $150 million.
(f) $50 million for each project.
(g) NSW - $50 million or one third.
(h) NSW – Australian Coal Association Low Emissions Technology Ltd - $50 million from the Coal 21 Fund. Delta Electricity – in kind support yet to be valued.
(i) NSW – early 2012.
(j) NSW – early 2014.

(k) (i) NSW – Delta Electricity. At this stage, it is expected that the funding would be released in instalments related to milestones commencing in 2009/10 and through to project commissioning. There are currently no agreements in place.
(l) NSW yes but each stage and cost not sufficiently defined at this stage to answer with any accuracy.
(m) These projects are funded in order to demonstrate low emissions coal technologies in Australia to support future broader deployment of carbon capture and storage and assist Australia to meet its emissions reduction targets at least cost.
(n) These projects were election commitments. RET was not involved in any modelling.

Attachment C

1. **Australian Tourism Development Program – Competitive Grants**

   (a) Five rounds of the Australian Tourism Development Program (ATDP) were conducted over the period from 2004 to 2007. Around $30 million in competitive grants funding has supported 179 projects across Australia, including a range of small scale infrastructure projects. Successful grant recipients were announced by the Australian Government Minister responsible for tourism at the completion of each grant round. Information on ATDP funded projects is available through the Department’s website (http://www.ret.gov.au).

   (b) Refer to (a) above.
   (c) Refer to (a) above.
   (d) Refer to (a) above.
   (e) Refer to (a) above.
   (f) Refer to (a) above.

   (g) Funding provided through the ATDP does not duplicate funding programs offered at the state/territory level of government.

   (h) The Australian Tourism Development Program offered grants for tourism development projects in two categories.

   **Category 1:** Grants were awarded for projects focused on providing or enhancing tourism products, facilities and/or services, and ranged from $50,000 to $100,000. These grants were offered on a matching cash, dollar for dollar, basis.

   **Category 2:** Grants were awarded for large-scale integrated tourism development projects involving a number of regions, and ranged from $100,000 to $500,000. Preference was given to projects with matching funding, although this was not a mandatory requirement.

   (i) Five ATDP grants rounds were conducted during the period from 2004 to 2007.
   (j) All current ATDP projects are anticipated to be completed in the 2009-10 financial year.
(k) (i) ATDP projects are delivered by a combination of private sector businesses, not for profit organisations and local government agencies.

(l) ATDP grants are administered through Funding Agreements, which detail the scope of the projects and set out the terms and conditions under which the grant monies will be disbursed. Generally funding is paid in stages, subject to successful completion of project milestones.

(m) The Australian Tourism Development Program provided competitive grants for projects to stimulate sustainable growth in the Australian tourism industry. Applications for grants were assessed on merit against criteria outlined in the program guidelines, and compared to all other applications from around Australia.

(n) Refer to (m) above.

Attachment D

(1) Australian Tourism Development Program – Regional Election Commitments

(2) (a) During the 2007 election, the Government made commitments to fund 11 regional tourism projects, including the projects listed below to enhance tourism infrastructure facilities.

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Project Proponent</th>
<th>Australian Government funding</th>
<th>Additional funding from other sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derwent Valley Rail Restoration</td>
<td>Derwent Valley Railway Inc</td>
<td>$50,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Restoration of Bacchus Marsh Avenue of Honour</td>
<td>Moorabool Shire Council</td>
<td>$500,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Building Modifications to Table Cape Lighthouse</td>
<td>Waratah Wynyard Council</td>
<td>$185,000</td>
<td>$15,000 (Waratah Wynyard Council)</td>
</tr>
<tr>
<td>Upgrade of Wonthaggi State Coal Mine Visitor Centre</td>
<td>Parks Victoria</td>
<td>$1,500,000</td>
<td>$1,500,000 (Victorian Government) $400,000 (In kind project support from volunteers and Parks Victoria project management)</td>
</tr>
<tr>
<td>Construction of Creswick Interpretive Centre</td>
<td>Hepburn Shire Council</td>
<td>$450,000</td>
<td>$212,000 (Victorian Government) $250,000 (Hepburn Shire Council)</td>
</tr>
<tr>
<td>Invigoration of the Red Centre Way Restoration of South Perth Old Mill</td>
<td>Tourism Northern Territory City of South Perth</td>
<td>$500,000</td>
<td>N/A City of South Perth contributing in kind project management services (no value agreed)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$75,000</td>
<td></td>
</tr>
</tbody>
</table>

(b) Australian Government funding for these projects is provided through the Australian Tourism Development Program.

(c) Refer to (a) above.

(d) Refer to (a) above.

(e) Refer to (a) above.

(f) Refer to (a) above.

(g) Refer to (a) above.

(h) Refer to (a) above.

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(i) Construction work on the following projects started in 2008-09: Derwent Valley Rail Restoration; Restoration of Bacchus Marsh Avenue of Honour; Construction of Creswick Interpretive Centre; and Restoration of South Perth Old Mill.

Construction work on the following projects will start in 2009-10: Building Modifications to Table Cape Lighthouse; Upgrade of Wonthaggi State Coal Mine Visitor Centre; and Invigoration of the Red Centre Way. (Planning for these projects commenced during 2008-09.)

(j) Construction of the Creswick Interpretive Centre has been completed. All other projects are anticipated to be completed during the 2009-10 financial year.

(k) (i) Refer to (a) above.

(l) Funding Agreements are in place for each project, which detail the scope of the project and set out the terms and conditions under which the grant monies will be disbursed. Generally funding is paid in stages, subject to successful completion of project milestones.

(m) The Government made commitments to fund these projects during the 2007 election. These projects are intended to enhance tourism infrastructure facilities.

(n) Refer to (m) above.

Attachment E

1. The Victorian Bushfires Tourism Industry Support Package
   (2) (a) The Victorian Bushfires Tourism Industry Support package was jointly announced by the Australian and Victorian governments in March 2009. The package is worth $10 million (comprising $5 million from the Australian Government and $5 million from the Victorian Government) and includes $3 million to assist with the enhancement and redevelopment of tourism and visitor facility infrastructure in national, state and regional parks adjoining bushfire affected areas. Details of infrastructure projects to be supported under this package are yet to be announced.

   (b) Funding for the Victorian Bushfires Tourism Industry Support package will be delivered between March 2009 and June 2011 under the Commonwealth’s Natural Disaster Relief and Recovery Arrangements.

   (c) Refer to (a) above.

   (d) Refer to (a) above.

   (e) Refer to (a) above.

   (f) Refer to (a) above.

   (g) Refer to (a) above.

   (h) Details of infrastructure projects to be supported under this package are yet to be announced.

   (i) Refer to (h) above.

   (j) Refer to (h) above.

   (k) (i) A Taskforce has been set up to oversee the administration of the funds, comprising representatives from: the Department of Resources, Energy and Tourism; Tourism Victoria; Parks Australia; Parks Victoria; Tourism Australia; and the tourism industry. Details of infrastructure projects to be supported under this package are yet to be announced.

   (l) Details of infrastructure projects to be supported under this package are yet to be announced.

   (m) The Victorian Bushfires Tourism Industry Support package is intended to provide funding to support businesses and regions adjoining fire affected areas experiencing financial difficulties as a result of the fires. Details of infrastructure projects to be supported under this package are yet to be announced.

   (n) Refer to (m) above.
Attachment F

(1) The ongoing fit-out of new premises to relocate the National Offshore Petroleum Safety Authority’s head office in Perth.
(2) (a) As part of the 2007/08 budget process; meetings with industry; and 2006/07 annual review of cost recovery arrangements.
(b) NOPSA’s single program.
(c) Estimated at $2 million.
(d) $1.8 million.
(e) $2 million.
(f) Nil.
(g) Nil.
(h) 100% funded by industry levies.
(i) December quarter 2008.
(j) September quarter 2009.
(k) Construction by private companies ISPT and Brookfield Multiplex.
(l) No.
(m) Planned, increased accommodation required for NOPSA staff due to significant increase in offshore petroleum activity.
(n) Cost benefit based on need and availability of office space in Perth.

Clean Energy Initiative
(Question No. 1646)

Senator Cash asked the Minister representing the Minister for Resources and Energy, upon notice, on 2 June 2009:
With reference to the Government’s Clean Energy Initiative and in particular, the proposed $1.5 billion investment in large-scale solar generation projects as stated in the 2009-10 Budget papers, can details be provided of the large-scale solar generation projects currently awaiting Government funding approval and the date on which these projects were submitted to the Government for funding consideration.

Senator Carr—The Minister for Resources and Energy has provided the following answer to the honourable senator’s question:
The solar flagships program was announced in the May 2009 budget and guidelines have yet to be developed.

Clean Energy Initiative
(Question No. 1647)

Senator Cash asked the Minister representing the Minister for Resources and Energy, upon notice, on 2 June 2009:
With reference to the Government’s Clean Energy Initiative and, in particular, the proposed $1.5 billion investment in large-scale solar generation projects as stated in the 2009-10 Budget papers, can a breakdown be provided of how the funds are proposed to be allocated and over what period of time.

Senator Carr—The Minister for Resources and Energy has provided the following response to the honourable senator’s question:
The Government will provide up to $1.5 billion over six years to support up to four large scale solar energy generation projects in Australia.

A breakdown of new funds for administered expenditure on solar flagships for the RET portfolio is as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>143,882</td>
<td>80,087</td>
<td>84,030</td>
<td>84,030</td>
<td>400,030</td>
<td>408,310</td>
</tr>
</tbody>
</table>

The government will also provide $135 million to solar flagships from the Renewable Energy Fund and $200 million from the Education Investment Fund.

Program guidelines for solar flagships are being developed and the selection of successful projects is expected to be completed in the first half of 2010, following a competitive process commencing in the second half of 2009.

Prime Minister: Advertising
(Question No. 1648)

Senator Minchin asked the Minister representing the Prime Minister in the Senate and other ministers, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and
(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:

Since 1 January 2008, the National Archives of Australia (NAA) has expended funds on advertising or sponsored links on a search engine such as www.google.com. No other agency within the Prime Minister’s portfolio has expended any funds on advertising or sponsored links on a search engine such as www.google.com.

I understand the Minister for Climate Change and Water will provide a separate response for this question.

(a) URL:
(b) Nil
(c) $209.70 per day (including the cost of banner production)
(d) Cost included in advertising spend as per (c)
(e) Shell-shocked. AUSTRALIA AFTER ARMISTICE ... after the war comes the battle
(f) and (g) See attached list for NAA – Shake Your Tree
(f) 14 January 2009 to 15 February 2009
(g) $6,500
(b) $1,200
(c) $172 per day
(d) Cost included in advertising spend as per (b) and (c)
(e) Everyone has a history ... we could have some of yours
(f) and (g) See attached list for NAA – Shake Your Tree
(h) 14 January 2009 to 15 February 2009
(i) $5,500
(a) URL: http://www.mappingouranzacs.naa.gov.au/: Advertised on Google using Google AdWords
(b) $800
(c) $25 per day
(d) Cost included in advertising spend as per (b) and (c)
(e) Find a service person
(f) and (g) See attached list for NAA-Mapping our ANZACS
(h) 1 February 2009 to 25 February 2009
(i) $5,500

**Immigration and Citizenship: Advertising**

(Question No. 1653)

Senator Minchin asked the Minister for Immigration and Citizenship, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and

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(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

**Senator Chris Evans**—The answer to the honourable senator’s question is as follows:

The Department of Immigration and Citizenship (DIAC) and agencies administered within my portfolio expended funds on advertising or sponsored links on a search engine on government websites in one instance relating to the Australian Needs Skills expo for skilled migration recruitment in London UK.

Details are:

(a) Text link to the Department’s website www.immi.gov.au/skillsexpo (regarding the Australia Needs Skills Expo) on Google.com.

(b) Total cost was £51.62 (at then exchange rates approximately AUD$112.66), which includes establishment costs plus unit price per click on web link.

(c) A limit was set in the agreement of a maximum cost of £100 per day, see (i) for actual total expended.

(d) Based on total cost and number of hits, average price was £0.20 (AUD$0.44) per click.

(e) Words and phrases chosen related to the Australian Needs Skills expo for skilled migration recruitment in London UK

(f) Not available.

(g) Not available.

(h) 5 February 2008 to 15 February 2008.

(i) Total cost was £51.62 (at then exchange rates approximately AUD$112.66).

**Special Minister of State: Advertising**

(Question No. 1654)

**Senator Minchin** asked the Special Minister of State, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;

(b) what was the cost of establishing the advertisement/sponsorship;

(c) what was/is the daily cost of sponsorship;

(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;

(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);

(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;

(g) how many variables or combinations were entered into the purchase equation;

(h) for how long has the advertisement/sponsorship been running or is intended to run; and

(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

**Senator Ludwig**—The answer to the honourable senator’s question is as follows:

Please refer to the response to QoN 1660 asked of the Minister representing the Minister for Finance and Deregulation.
Finance and Deregulation: Advertising
(Question No. 1660)

Senator Minchin asked the Minister representing the Minister for Finance and Deregulation, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:
(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and
(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

Senator Conroy—The Minister for Finance and Deregulation has supplied the following answer to the honourable senator’s question:

No.
(a) to (i) Not applicable.

Innovation, Industry, Science and Research: Advertising
(Question No. 1663)

Senator Minchin asked the Minister for Innovation, Industry, Science and Research, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:
(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation:  

QUESTIONS ON NOTICE
(h) for how long has the advertisement/sponsorship been running or is intended to run; and

(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

**Senator Carr**—The answer to the honourable senator’s question is as follows:

Since 1 January 2008, the department and its agencies have expended the funds outlined in the table below on advertising and/or sponsored links on a search engine (such as www.google.com). This includes all government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names).

<table>
<thead>
<tr>
<th>Question part</th>
<th>AusIndustry</th>
<th>IP Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) which websites have been or are being advertised/sponsored on each search engine</td>
<td><a href="http://www.ausindustry.gov.au">www.ausindustry.gov.au</a></td>
<td><a href="http://www.ipaustralia.gov.au/ippasport/">www.ipaustralia.gov.au/ippasport/</a></td>
</tr>
<tr>
<td>b) what was the cost of establishing the advertisement/sponsorship</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>c) what was/is the daily cost of sponsorship</td>
<td>Nil</td>
<td>Daily cost range: nil to $79.94 (average = $27.85/day)</td>
</tr>
<tr>
<td>d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine</td>
<td>Google: Average of $1.38 per click</td>
<td>Average = $3.30 per click</td>
</tr>
<tr>
<td></td>
<td>Yahoo: Average of $1.40 per click</td>
<td></td>
</tr>
<tr>
<td>e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’)</td>
<td>See Attachment 1</td>
<td>See Attachment 1</td>
</tr>
<tr>
<td>f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship</td>
<td>See Attachment 1</td>
<td>N/A</td>
</tr>
<tr>
<td>g) how many variables or combinations were entered into the purchase equation</td>
<td>Total number of keywords – 265 words</td>
<td>N/A</td>
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<tr>
<td>h) for how long has the advertisement/sponsorship been running or is intended to run</td>
<td>Google: 1 January 2008 to 31 May 2009</td>
<td>12 December 2007 to 29 February 2008</td>
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<tr>
<td></td>
<td>Yahoo: 19 March 2008 to 23 December 2008</td>
<td></td>
</tr>
<tr>
<td>i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link</td>
<td>Google: $401,164.00</td>
<td>$1,727.03</td>
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<tr>
<td></td>
<td>Yahoo: $54,020.00</td>
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<tr>
<td>TOTAL</td>
<td>$455,184.00</td>
<td>$1,727.03</td>
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**Attachment 1**

AusIndustry Keywords

<p>| oz industry | RIEF |
| australian business | Senator Carr |
| australian businesses | TCP Strategic Investment |
| business ACT | avcal |
| business Australia | backing Australias Ability |
| business advice | bec |
| business advisory | business enterprise centre |
| business assistance | commonwealth commercialisation institute |</p>
<table>
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<tr>
<th>AusIndustry Keywords</th>
<th>Department Keywords</th>
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<td>business companies</td>
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<td>business company</td>
<td>department of industry tourism and resources</td>
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QUESTIONS ON NOTICE
**QUESTIONS ON NOTICE**

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<th>IP Australia Keywords</th>
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**Questions on Notice**
Senator Minchin asked the Minister for Climate Change and Water, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and
(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

Senator Wong—The answer to the honourable senator’s question is as follows:

**Climate Change**

(a) The Department of Climate Change website www.climatechange.gov.au utilised a sponsored link on www.google.com and www.yahoo.com during the period 19 July 2008 to 30 November 2008 for the Climate Change Household Action Campaign. The sponsorship was organised through Universal McCann, which is the Australian Government’s master media agency.

(b) $106,356.53.

(c) $787.82.

(d) The cost per click is a variable cost. Throughout the period the average cost per click was $2.10, with the campaign receiving 50,713 clicks.

(e) The broad words or phrases (the ‘Ad Groups’) included in the sponsorship were:
   - Carbon Trading
   - Climate Change
   - Environment - General
   - Global Warming
   - Greenhouse Effect

(f) The additional sub-categories and combinations of words sponsored (the ‘keywords’) were:
   - about climate change
   - about global warming
against global warming
american carbon emissions
annual carbon emissions
antarctica global warming
australia climate
australia climate change
australia global warming
australian climate
australian climate change
australian global warming
australia's climate
average carbon emissions
aviation emissions trading
calculate carbon emissions
calculate carbon footprint
calculating carbon emissions
car carbon emissions
carbon calculator
carbon credit
carbon credit trading
carbon credits
carbon credits trading
carbon cycle
carbon dioxide and global warming
carbon dioxide emission
carbon dioxide emissions
carbon emission
carbon emission calculator
carbon emission credits
carbon emission trading
carbon emissions
carbon emissions calculator
carbon emissions credit
carbon emissions credits
carbon emissions tracking
carbon emissions trading
carbon footprint
carbon footprint australia
carbon footprint calculator
carbon footprint calculator australia
carbon footprints
carbon global warming
carbon market
carbon neutral
carbon offset
carbon offset credits
carbon offsets
carbon offsetting
carbon reduction
carbon trading

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carbon trading in australia
carbon trading scheme
cause global warming
cause of global warming
causes climate change
causes global warming
causes of climate change
causes of global warming
clever climate
clima
clima change
clim change action
clim change adaptation
clim change australia
clima change causes
clima change coalition
clima change conference
clima change course
clima change debate
clim change education
clima change effect
clima change effects
clima change facts
clima change for kids
clima change global warming
clim change greenhouse
clima change impact
clim change impacts
clim change in australia
clim change info
clim change information
clim change issues
clim change litigation
clim change map
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clim change models
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clim change pictures
clim change policies
clim change policy
clim change predictions
clim change project
clim change projections
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clim change solutions
clim change statistics

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climate change sydney
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climate change victoria
climate change water
climate changes
climate clever
climate control
climate crisis
climate graph
climate graphs
climate institute
climate zones
climates
c02
c02 climate change
c02 emission
c02 emissions
c02 emissions calculator
c02 emissions trading
c02 global warming
c02 greenhouse
c02 neutral
c02 offset
csiro climate change
cut carbon emissions
define global warming
desert climate
drought climate change
effect of global warming
effects of climate change
effects of global warming
emission trading
emissions trading
emissions trading scheme
enhanced greenhouse effect
environment
environment air pollution
environment earth
environment impacts
environment issues
environment protection
environmental protection
epa climate change
facts on global warming
ghg emission trading
global carbon dioxide emissions
global climate change
global warming

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global warming affects
global warming and climate change
global warming and climate change
global warming article
global warming articles
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global warming automobile
global warming carbon dioxide
global warming carbon offsets
global warming cartoon
global warming causes
global warming climate
global warming climate change
global warming debate
global warming definition
global warming diagram
global warming drought
global warming effect
global warming effects
global warming environment
global warming evidence
global warming facts
global warming gas
global warming graph
global warming graphs
global warming greenhouse gases
global warming human
global warming images
global warming impact
global warming impacts
global warming in antarctica
global warming in australia
global warming info
global warming information
global warming issue
global warming issues
global warming kids
global warming myth
global warming natural
global warming news
global warming pictures
global warming potential
global warming predictions
global warming prevention
global warming problems
global warming protocol
global warming quotes
global warming report
global warming research

QUESTIONS ON NOTICE
stop climate change
stop global warming
stopping global warming
temperatures
the greenhouse effect
trading of carbon
warming climate change
weather and climate
weather forecast
what causes climate change
what causes global warming
what is climate
what is climate change
what is global warming
what is greenhouse effect
world climate
world climate change
your carbon footprint

(g) The purchase is not based on the total number of keywords or a combination of them.
(h) The Department utilised sponsored links on search engines from 19 July 2008 to 30 November 2008.
(i) $106,356.53.

Water
There has been no paid advertising or sponsorships on search engines associated with Water related .gov.au websites.

Agriculture, Fisheries and Forestry: Advertising
(Question No. 1668)

Senator Minchin asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and
(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.
**Senator Sherry**—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

Please see the attachment for the response to this question.

<table>
<thead>
<tr>
<th>Question</th>
<th>Program</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Which websites have been or are being advertised/sponsored on each search engine</td>
<td>Corporate Communication Quarantine Matters! campaign</td>
<td>Department of Agriculture Fisheries and Forestry</td>
</tr>
<tr>
<td>(b) What was the cost of establishing the advertisement/sponsorship</td>
<td></td>
<td>$151 726.19 (excluding GST and fees)</td>
</tr>
<tr>
<td>(c) What was/is the daily cost of sponsorship</td>
<td></td>
<td>This data is not available: as advised by Universal McCann, the government master media buying agency, and confirmed by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>(d) What was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine</td>
<td></td>
<td>This data is not available: as advised by Universal McCann, the government master media buying agency, and confirmed by the Department of Finance and Deregulation.</td>
</tr>
<tr>
<td>(e) Which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’)</td>
<td></td>
<td>See appendix A</td>
</tr>
<tr>
<td>(f) Which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship</td>
<td></td>
<td>None.</td>
</tr>
<tr>
<td>(g) How many variables or combinations were entered into the purchase equation</td>
<td></td>
<td>This question has been interpreted as seeking what the total number of search terms are in relation to the total expenditure. There are a total of 973 search terms (‘variables or combinations’).</td>
</tr>
<tr>
<td>(h) For how long has the advertisement/sponsorship been running or is intended to run</td>
<td></td>
<td>Domestic – 1 January – 30 June 2009 International – 1 January – 30 June 2009</td>
</tr>
<tr>
<td>(i) What is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link</td>
<td></td>
<td>$151 726.19 (excluding GST and fees)</td>
</tr>
</tbody>
</table>
Senator Minchin asked the Minister for Resources and Energy and Minister for Tourism, upon notice, on 3 June 2009:

To ask the Ministers listed below (Question Nos 1648-1683)—Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with ‘.gov.au’ domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;
(b) what was the cost of establishing the advertisement/sponsorship;
(c) what was/is the daily cost of sponsorship;
(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;
(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);
(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;
(g) how many variables or combinations were entered into the purchase equation;
(h) for how long has the advertisement/sponsorship been running or is intended to run; and
(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.

Senator Carr—The Minister for Resources and Energy and the Minister for Tourism has provided the following answer to the honourable senator’s question:

(a) www.australia.com
(b) The total cost of Tourism Australia’s search engine marketing (SEM) activity during the period was $1,606,384.16
(c) There is no daily cost charged to Tourism Australia. Rather, the cost of the advertising is measured as ‘cost per click’ (CPC).
(d) The average ‘cost per click’ across all of Tourism Australia’s SEM campaigns during the period was $1.06.
(e) The English keyword list used in Tourism Australia’s SEM activity includes:
   aboriginal culture
   australia nature
   australian wildlife
   australian wildlife
   trekking australia
   walking australia
   surfing in australia
   scuba diving in australia
   backpacking in australia
   camping in australia

QUESTIONS ON NOTICE
australian island
australian desert
australian cities
australia
australia
australia history
australia map
australia map
australia tourist map
australian
australian culture
australian pictures
australien
history of australia
travel map australia
australia fact
australia facts
australia guide
australia information
information on australia
aboriginal art
australia art
australia attractions
australia beaches
australia outback
australian beaches
australian festivals
australian outback
australian wildlife
outback australia
australia accommodation
australia accomodation
accommodation in australia
walkabout
australia diving
backpacking australia
camp australia
dining australia
driving australia
scuba diving australia
shop australia
skiing australia
surfing australia
australia tourism
australia tourist
australia tourist board
australia website
australia.com
australian tourism
australian tourist board
tourism australia
tourism australia website
www.australia.com
australia tourist information
tourism australia deals
australia tourism board	ravel to australia	ravel to perth australia
travelling to australia
traveling to australia
getting to australia
travelling australia
australia adventure
australia holiday
australia holidays
australia hotels
australia tour
australia tours
australia travel
australia travel guide
australia travel information
australia trip
australia vacation
australia vacations
australia visit
australian holidays
australian travel
australian vacation
australian vacations
australian visa
guide australia travel
holiday australia
holidays australia
holidays in australia
holidays to australia
tour australia
touring australia
travel australia
travel guide
travel information
travel packages australia
travel to australia
travelling australia
trip australia
trip to australia
vacation australia
visit australia
visiting australia
australian war memorial
National Museum of Australia
parliament house
canberra australia
canberra holiday
canberra
canbera
canbra
canberra map
canberra tourism
canberra tourist guide
canberra weather
australian capital territory australia
australian capital territory holiday
australian capital territory map
australian capital territory tourism
australian capital territory tourist guide
australian capital territory weather
blue mountains
bondi beach
harbour bridge
byron bay
hunter valley
opera house
new south wales australia
new south wales holiday
new south wales map
new south wales tourism
new south wales tourist guide
new south wales weather
sydney
sydny
sidney
cidney
sydney australia
sydney holiday
sydney map
sydney tourism
sydney tourist guide
sydney weather
sydney beaches
alice springs
devils marbles
kakadu
katherine gorge
ayers rock
ayres rock
ayrs rock
uluru
darwin
drawin
dawin
darwin australia
darwin holiday
darwin map
darwin tourism
darwin tourist guide
darwin weather
adelaide tourism
adelaide tourist guide
adelaide weather
barossa valley
clare valley
flinders ranges
kangaroo island
south australia australia
south australia holiday
south australia map
south australia tourism
south australia tourist guide
south australia weather
the overland track
cradle mountain
flinders island
king island
launceston
port arthur
freycinet peninsula
wineglass bay
tasmania australia
tasmania holiday
tasmania map
tasmania tourism
tasmania tourist guide
tasmania weather
hobart
hoebart
hobarte
hobart australia
hobart holiday
hobart map
hobart tourism
hobart tourist guide
hobart weather
dandenong ranges
yarra valley
mornington peninsula
QUESTIONS ON NOTICE

grampians
phillip island
great ocean road
gippsland
twelve apostles
bells beach
yarra river
victoria australia
victoria holiday
victoria map
victoria tourism
victoria tourist guide
victoria weather
melbourne
melbourn
melbon
melbun
melbourne australia
melbourne holiday
melbourne map
melbourne tourism
melbourne tourist guide
melbourne weather
bungle bungles
margaret river
cape leveque
cable beach
broome
kalgoorlie
the kimberley
margaret river
kununurra
ningaloo reef
perth zoo
rotnest island
Fremantle
shark bay
swan river
western australia australia
(f) Refer to answer (e).

(g) There are 296 keywords used in Tourism Australia’s SEM activity.

(h) Tourism Australia has run various SEM campaigns in different markets since January 2008, including around the MySpace Working Holiday campaign in Canada, Ireland, the UK and the US between April-June 2008; the Transformation campaign in the UK, US, Germany, New Zealand, China, Korea, Japan from December 2008-April 2009; and the Gold Coast Marathon in Japan during April-June 2008 and May 2009.

(i) $1,606,384.16.

Veterans’ Affairs: Advertising
(Question No. 1674)

Senator Minchin asked the Minister representing the Minister for Veterans’ Affairs, upon notice, on 3 June 2009:

Since 1 January 2008, has the department or any of its agencies expended any funds on advertising or sponsored links on a search engine such as www.google.com for any government websites administered within the Minister’s portfolio (i.e. websites with '.gov.au' domain names); if so:

(a) which websites have been or are being advertised/sponsored on each search engine;

(b) what was the cost of establishing the advertisement/sponsorship;

(c) what was/is the daily cost of sponsorship;

(d) what was/is the fee that is charged each time an advertised/sponsored site is selected through the search engine;

(e) which words or phrases have been included in the advertisement/sponsorship (i.e. ‘digital television’);

(f) which additional, subcategories or combinations of words have also been included in the advertisement/sponsorship;

(g) how many variables or combinations were entered into the purchase equation;

(h) for how long has the advertisement/sponsorship been running or is intended to run; and

(i) what is the total cost to the department (or the costs to date if the expense is ongoing) of each website advertisement and/or sponsored link.
Senator Faulkner—The Minister for Veterans’ Affairs has provided the following answer to the honourable senator’s question:

No.

Prime Minister: Cabinet Meetings
(Question Nos 1684 and 1685)

Senator Abetz asked the Minister representing the Prime Minister in the Senate and other ministers, upon notice, on 3 June 2009:

(1) Did Cabinet meet on 1 June 2009; if so:
   (a) when did the meeting commence and conclude; and
   (b) when was the meeting first scheduled.

(2) Did any Cabinet committees meet on 1 June 2009; if so, for each:
   (a) when did the meeting commence and conclude; and
   (b) when was the meeting first scheduled.

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question on behalf of all ministers:

(1) No.

(2) Yes, there was one Cabinet Committee meeting on 1 June 2009:
   (a) the meeting commenced at 4.45pm and concluded at 6.35pm;
   (b) the meeting was first scheduled on 10 February 2009.

Centrelink: Advertising
(Question No. 1686)

Senator Cormann asked the Minister representing the Minister for Human Services, upon notice, on 9 June 2009:

(1) What is the total budget for the current Centrelink ‘Couples are Couples’ advertising campaign.

(2) How many individuals receiving Centrelink benefits will be affected by the issues addressed by the advertising campaign.

(3) Is the department conducting any other advertising campaigns in relation to recent same-sex related legislative changes; if so, how much is budgeted to be spent advertising the same-sex related legislative changes in the 2008-09 and 2009-10 financial years.

Senator Ludwig—The Minister for human Services has provided the following answer to the honourable senator’s question:

(1) The total budget for the current Centrelink ‘Couples are Couples’ advertising campaign was $1,538,146.

(2) Centrelink has had no reason to collect information about customers who may be in a same-sex relationship prior to the legislative change. It has been estimated, based on general population data that over 6,000 individuals may be affected by the changes in the first year.

(3) Centrelink will not be conducting any other advertising campaigns in relation to recent same-sex related legislative changes.