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the Senate and committee hearings are available at

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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
# Members of the Senate

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<th>State or Territory</th>
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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

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<tr>
<td>Prime Minister</td>
<td>Hon. Kevin Rudd, MP</td>
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<tr>
<td>Deputy Prime Minister, Minister for Education, Minister for</td>
<td>Hon. Julia Gillard, MP</td>
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<td>Employment and Workplace Relations and Minister for Social</td>
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<td>Inclusion</td>
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<td>Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<tr>
<td>Minister for Immigration and Citizenship and Leader of the</td>
<td>Senator Hon. Chris Evans</td>
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<tr>
<td>Minister for Defence and Vice President of the Executive</td>
<td>Senator Hon. John Faulkner</td>
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<tr>
<td>Minister for Trade</td>
<td>Hon. Simon Crean MP</td>
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<tr>
<td>Minister for Foreign Affairs and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<tr>
<td>Minister for Health and Ageing</td>
<td>Hon. Nicola Roxon MP</td>
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<td>Minister for Families, Housing, Community Services and</td>
<td>Hon. Jenny Macklin MP</td>
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<td>Indigenous Affairs</td>
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<tr>
<td>Minister for Finance and Deregulation</td>
<td>Hon. Lindsay Tanner MP</td>
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<tr>
<td>Minister for Infrastructure, Transport, Regional Development</td>
<td>Hon. Anthony Albanese MP</td>
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<td>Minister for Broadband, Communications and the Digital</td>
<td>Senator Hon. Stephen Conroy</td>
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<td>Economy and Deputy Leader of the Government in the Senate</td>
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<tr>
<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<td>Minister for Climate Change and Water</td>
<td>Senator Hon. Penny Wong</td>
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<td>Hon. Peter Garrett AM, MP</td>
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<td>Attorney-General</td>
<td>Hon. Robert McClelland MP</td>
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<tr>
<td>Cabinet Secretary, Special Minister of State and Manager of</td>
<td>Senator Hon. Joe Ludwig</td>
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<td>Hon. Tony Burke MP</td>
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<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Financial Services, Superannuation and Corporate</td>
<td>Hon. Chris Bowen, MP</td>
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<td>and Minister for Human Services</td>
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[The above ministers constitute the cabinet]
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<td>Minister for Veterans’ Affairs</td>
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<td>Hon. Tanya Plibersek MP</td>
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<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery</td>
<td>Hon. Warren Snowdon MP</td>
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<tr>
<td>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</td>
<td>Hon. Dr Craig Emerson MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>Senator Hon. Nick Sherry</td>
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<tr>
<td>Minister for Ageing</td>
<td>Hon. Justine Elliot MP</td>
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<tr>
<td>Minister for Early Childhood Education, Childcare and Youth and Minister for Sport</td>
<td>Hon. Kate Ellis MP</td>
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<td>Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change</td>
<td>Hon. Greg Combet AM, MP</td>
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<td>Minister for Employment Participation and Minister Assisting the Prime Minister on Government Service Delivery</td>
<td>Senator Hon. Mark Arbib</td>
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<tr>
<td>Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government</td>
<td>Hon. Maxine McKew MP</td>
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<td>Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water</td>
<td>Hon. Dr Mike Kelly AM, MP</td>
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<td>Parliamentary Secretary for Western and Northern Australia</td>
<td>Hon. Gary Gray AO, MP</td>
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<tr>
<td>Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction</td>
<td>Hon. Bill Shorten MP</td>
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<td>Parliamentary Secretary for International Development Assistance</td>
<td>Hon. Bob McMullan MP</td>
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<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>Hon. Duncan Kerr SC, MP</td>
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<td>Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade</td>
<td>Hon. Anthony Byrne MP</td>
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<td>Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion</td>
<td>Senator Hon. Ursula Stephens</td>
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<td>Parliamentary Secretary for Multicultural Affairs and Settlement Services</td>
<td>Hon. Laurie Ferguson MP</td>
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<td>Parliamentary Secretary for Employment</td>
<td>Hon. Jason Clare MP</td>
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<td>Hon. Mark Butler MP</td>
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<tr>
<td>Parliamentary Secretary for Industry and Innovation</td>
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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]
SHADOW MINISTRY—continued

Shadow Minister for Financial Services, Superannuation and Corporate Law
The Hon. Chris Pearce MP

Shadow Assistant Treasurer
The Hon. Tony Smith MP

Shadow Minister for Sustainable Development and Cities
The Hon. Bruce Billson MP

Shadow Minister for Competition Policy and Consumer Affairs and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Housing and Local Government
Mr Scott Morrison

Shadow Minister for Ageing
Mrs Margaret May MP

Shadow Minister for Defence Science and Personnel and Assisting Shadow Minister for Defence
The Hon. Bob Baldwin MP

Shadow Minister for Veterans’ Affairs
Mrs Louise Markus MP

Shadow Minister for Early Childhood Education, Childcare, Status of Women and Youth
Mrs Sophie Mirabella MP

Shadow Minister for Justice and Customs
The Hon. Sussan Ley MP

Shadow Minister for Employment Participation, Training and Sport
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Northern Australia
Senator the Hon. Ian Macdonald

Shadow Parliamentary Secretary for Roads and Transport
Mr Don Randall MP

Shadow Parliamentary Secretary for Regional Development
Mr John Forrest MP

Shadow Parliamentary Secretary for International Development Assistance and Shadow Parliamentary Secretary for Indigenous Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Energy and Resources
Mr Barry Haase MP

Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector
Senator Mitch Fifield

Shadow Parliamentary Secretary for Water Resources and Conservation
Mr Mark Coulton MP

Shadow Parliamentary Secretary for Health Administration
Senator Mathias Cormann

Shadow Parliamentary Secretary for Defence
The Hon. Peter Lindsay MP

Shadow Parliamentary Secretary for Education
Senator the Hon. Brett Mason

Shadow Parliamentary Secretary for Justice and Public Security
Mr Jason Wood MP

Shadow Parliamentary Secretary for Agriculture, Fisheries and Forestry
Senator the Hon. Richard Colbeck

Shadow Parliamentary Secretary for Immigration and Citizenship and Shadow Parliamentary Secretary Assisting the Leader in the Senate
Senator Concetta Fierravanti-Wells
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Tuesday, 8 September 2009

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

MIGRATION AMENDMENT (ABOLISHING DETENTION DEBT) BILL 2009 [No. 2]

Second Reading

Debate resumed from 7 September, on motion by Senator Carr:

That this bill be now read a second time.

Senator FIELDING (Victoria—Leader of the Family First Party) (12.31 pm)—Before the Senate adjourned last night I was on my feet talking about this bill. I will remind the chamber of what we are talking about, which is the abolishing of detention debt. The issue is who should actually have their detention debt abolished. I do not think there is anyone in Australia who, having thought about it and looked at this issue really hard, would disagree that it is fair and reasonable for a refugee to have their debt wiped, where the refugee is genuinely fleeing from persecution or fleeing for their life or is in circumstances that would ensure that they were a refugee.

In actual fact this government has a policy today—and the previous government had one too—by which genuine refugees have their debt wiped. It is not in law; it is a policy, and that has been happening. So you then say, ‘What is this bill actually going to do?’ Well, it puts that into law; genuine refugees will have their debt wiped. But what else does the bill do? This is where we come to the problem. It also wipes the debt of someone who is here illegally, someone who overstays their visa illegally. It wipes their detention debt as well. I do not understand how at the moment, when you have refugees having their debt wiped—they do not pay it as a result of policy—someone can come into this parliamentary chamber and say: ‘You beauty! We’re going to fix the problem. We’re going to make sure that refugees don’t have any debt.’ In actual fact they do not have a debt at the moment, because of policy, but supposedly we are going to pass this law without amendment.

Family First will be moving an amendment to make sure only refugees have their debt wiped and those people illegally in Australia will still have their debt; it will not be wiped. We should not be wiping it. The government put up some time ago the principle about people paying their way when they said that horticulture and agriculture had to pay their way through AQIS fees. Fair enough, but why should we be wiping the debt of people who are actually staying here illegally? It is crazy. It is absolutely crazy, and it is ludicrous to think that they are going to pass this law without any amendment. We will be putting up the amendment and hoping to get support from the coalition, because there is no way that people who stay here illegally should have their debt wiped clean.

This law goes too far. It stinks more than a fish market. Seriously, they have come into this chamber saying: ‘Good on us! We’re actually going to wipe the debt of refugees.’ But they already do that, and so did the previous government—they wiped the debt of genuine refugees. But this law goes a step further, which it should not, and wipes the detention debt of people who are staying here illegally. That is just crazy. Let us be clear what this government’s bill does through this example. A person comes into this country for a holiday, commits a violent criminal offence or illegally overstays their visa and gets put into detention and then the Rudd government says, ‘Let’s wipe their debt.’
Senator Chris Evans—That is just not true.

Senator FIELDING—No, it is true. It is very true. Maybe that is one of the unintended consequences of your bill, so we will give you the benefit of the doubt. But you have got to fix it. I hear at the back of the chamber someone taking a cheap shot, saying, ‘How do you spell that?’

Senator Hanson-Young—How do you spell ‘consequences’? How do you spell ‘compassion’?

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Order, Senators! If you would focus on the front of the Senate chamber and direct your remarks, Senator—

Senator FIELDING—Yes, having a go and taking a cheap shot.

The ACTING DEPUTY PRESIDENT—Excuse me, Senator Fielding, but if you would direct your remarks through the chair, please.

Senator FIELDING—Here we are talking about a very serious issue and we have got people from the Greens sitting up the back taking cheap shots.

Senator Hanson-Young—How do you spell ‘compassion’?

The ACTING DEPUTY PRESIDENT—Order, Senator! Let us stick to the debate.

Senator FIELDING—I will go through this again. Quite clearly, a person who comes to this country for a holiday, commits a violent criminal offence or illegally overstays their visa and gets put into detention has the government wanting to wipe their debt. This is not a person who is a refugee. This is not a person who has fled their country in fear of losing their life. This is a criminal. This is a person who has no respect for our laws. But the government now wants taxpayers to cough up for the bill rather than chase this person for it. Ordinary Australians are being asked by the government to make sacrifices and tighten their belts. I find it astonishing that the government wants to make sure this bill gets through without any changes. I will be moving changes and I am hoping the coalition and those on the cross benches will be supporting them. This is not right. I am reasonable and I am more than happy for genuine refugees to have their debt wiped. In actual fact the previous government did it and so does this one.

Senator TROETH (Victoria) (12.37 pm)—Today I would like to speak in support of this bill; I will be voting for this bill when the call is taken. Over the last few years I have played a small part in ameliorating and lessening some of the more punitive measures that have been imposed on asylum seekers, refugees and people who come to these shores. But I just want to put on record that this particular measure was introduced by a Labor government and perhaps it is poetic justice that it is being removed by a Labor government.

There is no doubt that since 2005, and in subsequent years leading up to now, recognition has grown in the community that people who come to our shores looking for assistance, asylum and a desire to have a better life should be treated a lot better than they are. And to impose accommodation charges on them in the way that has been done because this law has existed is not something I can go along with any more.

We often hear in this chamber about the agonies or the worries of those Australians who are battling mortgage stress. They wonder how they are going to pay their mortgage and how they are going to exist in the present global financial crisis if they lose their jobs. I can only ask the chamber to imagine how they would feel if they were a person newly arrived in Australia who was in a detention centre and was being charged every single
night for their accommodation and board, and all they had, quite literally, were the clothes in which they stood. How would anybody feel if, when they left the detention centre, they received a debt notification letter and an invoice from the department—and this was prior to any thought of the debt being waived?

These are people who have spent a very short time in our country. They have probably very little knowledge of macroeconomics. They have left a life of perhaps torture and trauma behind them. They have been in a detention centre and we are asking them to pay a debt which sometimes amounts to $100,000, $200,000 or $300,000. How would they possibly cope with that? Indeed, the Joint Standing Committee on Migration, in its recent inquiry, said:

[The detention charges policy] stands as a barrier towards refugees fully integrating into the community, and [these charges continue] to put significant pressure—both emotionally and financially—on those people who have already experienced so much trauma and uncertainty in their lives.

It must be a terrible psychological shock to them as they wonder how they will repay this debt. When they have nothing, no assets on which to base any sort of wealth accumulation, it must be a shock to be even contemplating this.

The comment has been made that the more we ‘soften’—and that is other people’s word, not mine—policies towards refugees the more we can expect a flood of refugees. And words like ‘flood’, ‘panic’ and ‘hundreds of thousands of people arriving on our shores’ are used all too often. There is no doubt that the United Nations High Commissioner for Refugees, in his most recent report, shows that the number of individual claims for asylum worldwide rose for the second year in a row by 28 per cent to 839,000 people. Developed countries like Australia do attract asylum seekers, but the fact is that 80 per cent of the world’s refugees are hosted by developing countries—Pakistan, Syria, Iran and Jordan. Among the developed countries, the US received 49,600 applications for asylum; France, 35,400; Canada, 34,800; the UK, 30,500; and Italy, 30,000. Australia received—and this is taken together, both boat people and plane arrivals—4,500 asylum claims. That is 0.05 per cent of the worldwide total, and almost all of them did not arrive by boat. So I challenge the theories of those who want to say that this is opening the floodgates. Firstly, that is an unpalatable concept to those of us who think about it and, secondly, it simply is not true.

We are legislators here in a 21st-century Australia, an Australia which has grown enormously through migration, through the assimilation of people who were born in other countries. I regularly attend citizenship ceremonies in my local municipalities where people are so happy to be here. At Stonnington, which is a municipal area in central Melbourne, we wave gladiola to show how happy we are that everyone has now received citizenship. These punitive sorts of charges and the putting up of these barriers should never happen. I will be proud to be in a legislature that legislates to take this law off the statute books.

Senator Fielding said that little of the money is recovered, and I see there is a reason for that. It costs more to gather that money than what we are getting back in the coffers. Let us just do away with it. The law does not help. Even if it is never collected, the fact is that it is still a blot on our statute book and I for one will not accept that it should be in continuation. No advanced society should have on its books laws like this, and so I will be supporting the government on this bill.
Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (12.44 pm)—I wish to sum up on behalf of the government. I think it is fair to say that most of this debate has been characterised by a rerun of the hysteria that occurred around the time of the Tampa arrival and the Howard government’s use of fear of refugees in the political context. Very little focus has been on the actual bill.

Senator Cormann—How many boats over the last 15 months? How many boats?

Senator CHRIS EVANS—Senator Cormann, you have had your go. You stand by your Hansard; you stand by your record on this matter. You have had your go.

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Order! Minister, please direct your remarks through the chair.

Senator CHRIS EVANS—What you have done, along with Senator Bernardi and other Liberal senators, is stake out your position, and that is fine. You have learnt nothing, you have not moved on at all from those rather unfortunate debates and the vilification of individuals seeking our protection. You and Senator Bernardi have achieved one thing in this debate: you have managed to put Pauline Hanson back at the centre of the political debate. The remnants of the Noel Crichton-Brown faction and the hard right in South Australia continue to peddle these untruths and the vilification of people seeking our protection. Quite frankly, I think you are irrelevant in the debate. But I want to—

Senator Cash—People of Australia don’t. People in Western Australia don’t.

The ACTING DEPUTY PRESIDENT—Order! Senators, would you please cease the interjections and comments across the chamber. Minister, address your remarks through the chair.

Senator CHRIS EVANS—We will see what the people of Australia think, as we did at the last election. I think the people of Australia have actually moved on.

Senator Cormann—Not in Western Australia, did they?

The ACTING DEPUTY PRESIDENT—Order, Senator Cormann! I just asked you to cease interjecting. Would you please do so for at least some time.

Senator CHRIS EVANS—This typifies what concerns me about this debate. I had hoped that we had moved on. For a while the Liberal Party, post the election, had. I do not want to focus on those contributions, other than to say that they contributed nothing to the debate. I appreciate that the spokesman, Senator Fierravanti-Wells, did address the bill and tried to construct an argument around that. I appreciate the contributions of Senator Hanson-Young, Senator Xenophon and Senator Fielding, who have sought to deal with the issues on this.

What the government and I are trying to do here is have a rational policy debate based on evidence and our history on this legislation and the application of this policy. Unfortunately, we immediately fall back into the old debate we have in Australian politics about boat people et cetera, and the fear of arrivals, when in fact this bill has very little to do with these issues. Under the previous government, more than 90 per cent of those who arrived, including those sent to Nauru and Manus Island, were found to be refugees, and the previous government did not collect any detention debt from them. This bill is not about boat people.

Senator Fielding, I will come to your argument in a minute, but you quite rightly make the point that you do not think that this policy was an appropriate way to treat those found to be owed our protection. Your record on that is a good one and I recognise that.
But this debate is not actually about them. The hysteria that is sought to be generated is misplaced. What we want is a serious debate. This is about tackling an issue seriously, recognising that we have had experience of this provision on detention debts since 1992.

We have a long history on this. It was introduced by Labor. It was not, as has been claimed, introduced as a deterrent. Look at the second reading speech. We are the only country in the world that has sought to collect debts from people held in detention for immigration matters. None of the other Western democracies do it. We do not do it for criminals. Senator Fielding made a debating point earlier about people who have committed a crime. It is an interesting point, Senator Fielding. It is not that you go to immigration detention for that. If you are a mass murderer or a rapist, we do not charge you for the time you spend in prison, but, if you get out of prison and we are about to deport you, we will run up a charge against you for immigration detention.

Just to deal with the deterrent value, first of all it has been widely accepted that people do not know about these conditions; it is not a factor in their decision. But, if you were focusing on unauthorised arrivals, you would focus on the fact that since 1992 15,000 people have arrived as unauthorised boat arrivals, so as a deterrent it is clearly not working as well as we would have hoped. If you throw in visa overstayers, which would be in the tens of thousands, it has not deterred them. If you throw in air arrivals, which would be in the tens of thousands, it has not deterred them. So it is a nonsense to pretend this is a deterrent. It is just a nonsense. People have no knowledge of it and it has not acted as a deterrent at all.

The second point to make very clearly is that we do not collect it. We actually collect three per cent of what we levy. It just has not been working. The previous government recognised this and stopped collecting the money, except from a very small subset of people, and I will come to that in a minute. It has not worked. Today we have been asked to keep the legislation as it is, to keep the principle—whatever that is—even though after 17 years of experience we know it has not worked. It has not deterred anyone and we have not collected the money. We certainly have not collected the money from the people we removed to overseas—they were a very tiny proportion of the debt collected—because they have no obligation to pay. So it is not a deterrent and we have not collected the money.

It actually costs Australian taxpayers more to run the scheme than is collected. Last year it cost us $350,000 or so to run a scheme that does not work. On any evidence based assessment, on any rational public policy debate, you would not do it. Why wouldn’t you spend that $350,000 in a better way? Again, on the questions of value for money and rational public policy, you would not do it.

If you examine the history of this and its review by sane, sensible people, you can point to a series of reports by the government and by colleagues in the Senate and in the House of Representatives that have consistently said it does not work, it is not appropriate, it is punitive, it is unfair and it ought to be repealed. The Senate Legal and Constitutional Affairs Committee in 2006 made criticisms of its punitive effect. The various United Nations Human Rights Committee reports have focused on it as being punitive and unfair. Most recently, last December the Joint Standing Committee on Migration unanimously recommended that the government introduce this legislation as a priority. A joint parliamentary committee of this parliament, with all the opposition members on it, unanimously requested that the government bring this bill in. I am being criticised
by some for responding to a unanimous call from a joint parliamentary committee, represented by all sides of the parliament, that we bring in a bill to deal with this. They looked at it and said it was unfair, it was irrational and it ought to end.

Not only that, but I understand that the shadow spokesperson, Dr Sharman Stone, took a recommendation to the Liberal Party shadow cabinet to support the abolition of this measure. For whatever reason, the conservatives inside the Liberal Party had a win. The recommendation that came out of that meeting was against supporting the bill. So the shadow spokesperson herself, who was a member of the committee that recommended we bring the bill in, took that position to the shadow cabinet and was rolled. Unfortunately, we have the position where the Liberal opposition have decided to oppose this bill, despite the views of Mrs Danila Vale, Mr Petro Georgiou, Senator Alan Eggleston and, of course, their own spokesperson.

I do not want to spend a lot of time talking about why they took this decision or whether they saw some sort of political opportunity in having a rerun of the anti-refugee debates of the early part of this century. What we do know is that all the inquiries into this policy have confirmed the lack of any deterrent value, the lack of fairness and the unfair impact it has on those who have debts levied against them—and have called for us to repeal the legislation. The government has sought to do that.

The arguments are all there. They were set out in the second reading speech. I will not go through them all again, but, as I say, it has failed as a scheme. Whatever one’s views about it, the evidence is that it has failed as a scheme and that it has caused great distress to a range of people who have repaid some of their debts.

This takes me to Senator Fielding’s point. I appreciate his motives. Even though we had an exchange across the chamber last night, I will try to explain why he is wrong—not in his sentiment but in practice. I think you are wrong, Senator Fielding. It effectively goes like this. The debts of people who are found to be refugees are wiped off. Even John Howard when he was at the height of his anger and attack on refugees did not collect that money. We will put that to one side—it is a non-issue. I have never claimed that this legislation is about those people; it has never been about them. We have another set of people, whom you are concerned about, who overstayed their visas and then have to be removed from the country after being detained. The vast majority of overstayers are actually removed without being detained, and we encourage that. We try to get them to go home without banging them up in Villawood—(1) because it costs money and (2) because there is a nicer way of doing it, saying, ‘Look, mate, it’s time you went home.’ A lot of them are British backpackers who are having such a good time in Sydney that they forget to go home. A lot of them are ordinary tourists who are partying and decide that they want a couple of extra weeks and their visas expire.

But the ones we tend to remove from Australia are those we take into detention. The reality is that, once they are removed, they never pay the debt. Why would you pay the debt if you have been removed? If you get a bill from the Australian department of immigration in the mail saying, ‘Please send us a cheque for $10,000 to pay for your detention costs,’ and you are back in Brazil or wherever, I think you would say, ‘I’ve got better things to do with my money. Why would I bother?’

Regarding Senator Fielding’s concern, the debt for removal is not affected by this bill. People removed still have a debt to the
Commonwealth. So, regarding his concern about those people being able to come back into the country, and them not receiving a penalty for their failure to obey the visa conditions, those provisions remain. The removal debt is not affected by this bill. For a whole range of reasons it was easier for us to seek to remove detention debt, and there are a range of legal arguments about why all that should occur. But, regarding your major concern, someone who is removed involuntarily from Australia will maintain a debt for the cost of their removal, and that will impact on their capacity to come back into Australia. They have a PIC 4001 bar to the granting of a further visa and, as a consequence, a bar on re-entry to Australia. Those who go voluntarily, and do the right thing after having overstayed their visas by a couple of weeks, will have their visa history examined before they can come back in.

As I say, quite frankly, a lot of the overstayers are really not a problem. They are not criminals; they are just people who have overstayed, often by a day or two and sometimes by a couple of weeks. But the department has the capacity to deal with any further visa application with that immigration history in mind. If we think they have been of bad character, they could have a visa cancelled or they could be barred—we can make a judgment on their history. But, as I say, we know that we basically do not successfully collect any debt. We collect less than three per cent of the debt.

Coming to the nub of what this bill is really about—and this is particularly in response to Senator Fielding—the people this bill impacts on are the people who are given permission to stay legally in Australia but did not get a refugee or humanitarian visa. They might have got a spouse visa or another type of visa, largely as a result of intervention by the minister—Philip Ruddock, Amanda Vanstone or me—who has said: ‘On assessing your case, even though you were found not to be a refugee, you are entitled to stay in Australia. We grant you a visa to stay legally.’ Having decided that these people are legally allowed to stay in Australia, this policy imposes a debt on them that impacts on their capacity to get on with their life in Australia.

The most moving examples are often of people who were locked up in Baxter for two or three years, were given a visa by a former Liberal minister—they were found to be entitled to a visa in Australia—and married an Australian citizen. Some of them have debts of $250,000. They cannot buy a home and they cannot get on with their lives because they have a debt of $250,000. Some of their debts are smaller but some people have huge debts. These people are legally in Australia, often married to an Australian citizen, with Australian citizen kids, who have this burden on them. This burden on them is causing mental health issues, it is causing financial pressures and it is impacting on their ability to get on with their lives. Those are the people we are concerned about. Those are the people who are affected.

Whether someone notionally living overseas has a debt, quite frankly, is neither here nor there; it is these people, permanent residents of Australia, often married to Australian citizens, often on a pathway to citizenship themselves—some of them will now be Australian citizens—who have this pressure on them. These are people who are integrated into the Australian community. They might have been given a visa because they have Australian citizen kids. They might have been given a visa because of humanitarian considerations, because of their age or because of their disability. They might have had a complementary protection claim such as fear of being returned to a country where they might be subject to the death penalty or where they might be subject to female geni-
tal mutilation. They are not refugees but are owed our protection. Currently they are picked up in this group. It could be someone who has been granted a visa because she fears going back to a country where she may be forced to have compulsory female genital mutilation. You say, despite the government of the day saying she is entitled to a legal visa, she has a debt for her detention and we are going to punish her, even though we said she could legally stay. It is a nonsense; it has always been a nonsense. It needs to be changed. That is why it needs to be changed. This is the group of people whom this change will benefit.

Equally it is for a whole range of other people who are found to be eligible for a visa—most of them granted by a minister of the Crown. These people are legally here, they have settled here, they are staying here and we are saddling them with a debt. If you meet some of these people, you will understand the pressure that places on them. Many of them, I would argue, were detained in a way that should never have occurred and which I think people like Senator Fielding have agreed should never have occurred. Many people had long-term detention in really difficult circumstances—the people who were sewing up their lips and jumping off buildings. What we are saying is, ‘As if that experience wasn’t enough, even though we have recanted, if you like, and said you can have a visa to remain, we are going to keep on punishing you.’ Quite frankly, it is not good public policy; it is not humane policy. Senator Fielding, it is not the Australian thing to do, in my view. I am happy to argue this anywhere in Australia. This is not good policy. It has terrible, unfair consequences. Everyone who has looked at it, every parliamentarian who has been involved in a committee who has looked at it, has said that it ought to go. All the international bodies, all the human rights groups, say it ought to go.

There is a good reason why this bill ought to be carried and why this detention debt regime ought to be abolished. I think some of the concerns that you have had, Senator Fielding, are addressed by it.

In conclusion, I appreciate the contribution of Senator Troeth. I have always had a great deal of respect for her. We are of the same class. But I also understand how difficult this is for people. I appreciate the fact that four of her colleagues did a similar thing in the House of Representatives. I have not sought to take any political advantage of it because I know how difficult that is for people. I know it reflects a deeply held view about justice and fairness in these matters. I welcome the decision but I do appreciate how difficult it is. I think it is important that we send the message as a parliament that this is not an appropriate way for Australia to respond.

I thank senators for their contributions to the debate—well, I thank some of them; I think others really do need to have a look at themselves and ask where their humanity is and whether they are really responding appropriately to people who are often in quite desperate circumstances. I urge the Senate to carry the bill. I will not be supporting Senator Fielding’s amendments, for the reasons I have explained, but I do appreciate the rationale behind his approach. But, obviously we will debate that in the committee stage.

Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator FIELDING (Victoria—Leader of the Family First Party) (1.05 pm)—I would seek leave to move amendments (1), (2), and (3) together but technically I cannot combine them. So I seek leave to move amendments (1) and (2) on sheet 5845 re-
vised. I will not move amendment (3) if amendments (1) and (2) do not get through.

Leave granted.

Senator FIELDING—I move Family First amendments (1) and (2) on sheet 5845 revised:

(1) Schedule 1, Parts 1 to 3, page 4 (line 2) to page 9 (line 29), omit the Parts, substitute:

Migration Act 1958

1 After section 214

Insert:

214A Liability ceases for refugees

(1) If a person is assessed to be a refugee for the purposes of the Refugees Convention as amended by the Refugees Protocol, any immigration detention liability incurred under one or more of the provisions specified in subsection (2) ceases from the time the assessment is made.

(2) The provisions specified for the purposes of subsection (1) are:

(a) section 209, 211, 262 or 264, or subsection 151(3) or 213(3), of the Migration Act 1958;

(b) an undertaking or obligation prescribed by regulations made for the purposes of subsection 140H(1) of that Act;

(c) an arrangement referred to in paragraph 145(c), 146(1)(b), 147(c) or 148(c) of that Act;

(d) any other instrument.

2 Application

The amendment made by item 1 applies in respect of any liability of the kind referred to in subsection 214A(1) which exists at, or is incurred after, the commencement of this Schedule, whether the assessment referred to in that subsection is made before or after this Schedule commences.

(2) Clause 2, page 2 (table item 2), omit “, Part 1”.

We have had a fair bit of debate on this issue. The distinction I am making is between refugees and those people who have actually stayed here illegally. Mr Evans went through some of those categories. But the key thing is that it is a principle. Refugees should have their debt wiped. I agree with the government on that issue. I do not have a problem with that and I have made quite clear in my speech the distinction for refugees. The issue is those people who are illegally in Australia and are caught and put into detention. It could be for a criminal activity, even overstaying a visa is a criminal activity. I suppose. I do not think that that debt should be wiped. It is a principle. I understand the issues of cost and of chasing it. I think that it is a principle that we need to hold on. So I seek the support of others in the chamber for these amendments, which say that the liability ceases for refugees, but anyone who is not a refugee would therefore have that liability remain. The way it operates at the moment would continue for those people. I urge senators to consider it and support it.

Senator FIERRAVANTI-WELLS (New South Wales) (1.07 pm)—I want to make some comments in relation to Senator Fielding’s amendments. The coalition will not be supporting these amendments. I appreciate the sentiment of the amendments that are proposed, but at the moment the legislation—as the minister outlined—does have a framework for the waiving and writing off of detention debt. If there are issues in relation to the need to tighten up some aspects, they are separate issues. To dismantle this framework and to effectively throw out the baby with the bathwater is not a course of action that the coalition supports. Prior to becoming a senator I had 20 years experience as a lawyer with the Australian Government Solicitor. Over my time, I did a lot of immigration cases. Many of the debts that are incurred are incurred as a consequence of protracted liti-
People who spend a lengthy time in detention end up with very high debts.

But, as the minister also said, this not really about the refugees and their debt; this is principally about overstayers. Let us not forget that there are approximately 48,500 overstayers in this country at any given time. Senator Fielding talked about principle. There is also this principle: if somebody knowingly overstays and abuses their visa conditions and does incur a detention debt, why shouldn’t that person be responsible for that detention debt and why shouldn’t that detention debt stay against them—particularly should they wish to come back into the country at some later stage? I appreciate the comments that the minister made in terms of the cost of administering this program, $350,000. When we are talking about the country having a debt of $315 billion, the cost of the framework is minimal, and it does act as a deterrent. Perhaps one of the problems here is that it is not made as clear as it ought to be to people that, if they do overstay their visa and they get put into detention, they will have to meet those detention costs.

As far as the category of people that the minister talked about—those who do not get refugee status but who then ultimately do stay legally—goes, the framework is in place for their debts to be waived and written off. From the coalition’s perspective, it is important to keep the framework in place and to undertake the process of looking at cases on their merits and waiving or writing off the debt subsequently. From our perspective, the principle is important. The framework needs to remain so that it does act as a deterrent, particularly—and I would like to stress this—in relation to overstayers and where the overstaying is compounded by protracted litigation. That is certainly the experience that I had over my many years of involvement as a government lawyer. I conclude by saying that we will not be supporting Senator Fielding’s amendments.

Senator HANSON-YOUNG (South Australia) (1.11 pm)—The Australian Greens cannot support Senator Fielding’s amendments, either. This goes right to the heart of why we are asking for the Senate to pass this bill as drafted and put forward by the minister. We need to remove this policy in its entirety. We have heard time and time again over the course of this debate, not just in this chamber but also in the other place, that Australia is the only country in the world which charges people for their incarceration. If we were to accept the amendments as put forward by Senator Fielding, we would still remain the only country in the world that charges people for their incarceration. There is absolutely no way that we can support his amendment.

Having said that, I completely accept that asylum seekers—refugees, people who are given protection visas or humanitarian visas—are the most vulnerable people we are talking about. But we need to remove this policy in its entirety. It is not a proud thing for Australia to say, ‘We are the only country in the world that detains people and then charges them for their incarceration.’ We cannot say that and stand tall in the eyes of the world. We need to remove this policy in its entirety.

I would like to pick up on a point that the opposition raised. The argument from the opposition spokesperson on immigration seems to be flip-flopping on this issue. There is scaremongering over the ‘come on down’ mentality. They argue that removing this policy would be removing a deterrent. That is absolutely abhorrent and completely irrational. We need to remove this policy. I am glad that, as Senator Troeth pointed out, it is being removed by the Labor Party. They introduced it. I am glad that they have seen the
error of their ways. Let us get on and get this passed to ensure that we can give some real meaning to stability, to resettlement and to freedom for these people who still have a huge debt hanging over their heads for no other reason than that they were incarcerated and detained against their will.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (1.14 pm)—As I indicated in the earlier debate, I have tried to address Senator Fielding’s concerns. The government will not be supporting his amendments. I appreciate the motivation, which I think is driven by a concern about treating refugees fairly and about having integrity in the immigration system. No-one is more focused on the integrity of the immigration system than I am. We have to ensure that people who are found not to be eligible to stay here are removed. That is something that the previous government were not very good at. They were good at the rhetoric but they actually were not very good at removal. One of my big challenges is to try to make us better at it. One of the reasons we have had people in long-term detention in this country is that the previous government were not any good at getting rid of them. They would bang them up, but then they would stay there for a long time. Some of the people I have removed in recent times had been in detention for six, seven or eight years. It was ridiculous, but we were unable to successfully remove them. These were paedophiles and criminals who were not there for immigration offences but whom we wanted to deport. We are also working very hard to protect the integrity of the system when dealing with overstayers and others. I want to make a point about overstayers; we have one of the best records in the world. We have one of the lowest numbers of overstayer rates, and that is a good thing. That is despite the enormous growth in the number of tourist visitors we have to this country.

In response to Senator Fielding, the key point is that those people who are removed from this country because we have found they have not done the right thing retain a removal debt and retain a bar on their return. So Senator Fielding’s concerns about how we treat them are protected by the removal debt. I deliberately left it in there. It is not abolished. Those people have a removal debt and it acts as a bar to their return. These people have not done the right thing.

For people who have been granted refugee status, successive governments have not pursued the debts and nor should we. The group that is left and that is vulnerable is made up of the people who live here, whom we have given permanent visas, many of whom are now citizens and have kids who are Australian citizens. They have often had traumatic experiences. We have given them a visa and they are legally here but we continue to punish them by saying: ‘You owe us vast amounts of money for the pleasure of spending two or three years at Baxter or Woomera. We’re going to keep trying to get that money out of you at the expense of your getting on with your life, being able to buy a house and being able to care for your kids in the way that you’d like to, because you have this debt.’

That is not rational. These are people who will be here forever. They are Australian citizens or they are Australian permanent residents. Unfortunately, the effect of Senator Fielding’s amendments would be to continue punishing them. Fundamentally, this bill is about ending that punishment. I think we agree on all the other areas but, on that point, the effect of the amendments would be to continue that punishment, and that is why successive parliamentary committees have recommended that the government end that
punishment. That is what we are seeking to end. I cannot support the amendments.

Senator FIELDING (Victoria—Leader of the Family First Party) (1.17 pm)—I will not keep the chamber long. I can quite clearly see where the numbers are on these amendments. It is a genuine concern. We do have a fantastic country, and we need to make sure that it stays that way. It is a principle for me. There are people who do the wrong thing and who can maybe get around the immigration system. They come here, overstay and then marry an Australian, and all of a sudden you wipe off their debt. To me it opens up the issue of jumping the queue.

I have said my piece. That is the genuine concern that I have. I also have a genuine concern about refugees and that is why I make it quite clear that I support refugees having their debts absolutely wiped. I think that is the fair and decent thing to do. But, when it comes to the other categories, I think there is a real problem when people have not done the right thing. Maybe they marry someone here and all of a sudden their debt is wiped. That is a real concern, and it would be of concern to most Australians if they really knew about it. I can understand the complexities and that it may capture some others, but it is a real problem. I will leave if there because I know where the votes are.

Question negatived.

The TEMPORARY CHAIRMAN (Senator Forshaw)—Senator Fielding, I understand that you are not proceeding with your amendment (3). Would you confirm that, please?

Senator Fielding—That is correct.

Bill agreed to.

Bill reported without amendment; report adopted.

Third Reading

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (1.20 pm)—I move:

That this bill be now read a third time.

Question put.

The Senate divided. [1.24 pm]

(The President—Senator the Hon. JJ Hogg)

Ayes………... 34
Noes……….. 30
Majority……... 4

AYES

Bilyk, C.L.
Brown, B.J.
Cameron, D.N.
Collins, J.
Crossin, P.M.
Farrell, D.E.
Fielding, S.
Furner, M.L.
Hogg, J.J.
Hutchins, S.P.
Ludwig, J.W.
McEwen, A. *
Milne, C.
Polley, H.
Siewert, R.
Sterle, G.
Wortley, D.

NOES

Abetz, E.
Back, C.I.
Roswell, R.L.D.
Bushby, D.C.
Colbeck, R.
Eggleston, A.
Fierravanti-Wells, C.
Fisher, M.J.
Johnston, D.
Kroger, H.
Mason, B.J.
Minchin, N.H.
Parry, S.
Ronaldson, M.
Scullion, N.G.

Bishop, T.M.
Brown, C.L.
Carr, K.J.
Conroy, S.M.
Evans, C.V.
Feeney, D.
Forshaw, M.G.
Hanson-Young, S.C.
Hurley, A.
Ludlam, S.
Lundy, K.A.
McLachlan, J.E.
Moore, C.
Pratt, L.C.
Stephens, U.
Troeth, J.M.
Xenophon, N.

Adams, J.
Bernardi, C.
Brandis, G.H.
Cash, M.C.
Cooman, H.L.
Ferguson, A.B.
Fifield, M.P.
Heffernan, W.
Joyce, B.
Macdonald, I.
McGauran, J.J.J.
Nash, F.
Payne, M.A.
Ryan, S.M.
Williams, J.R. *
Tuesday, 8 September 2009

SENATE

5897

PAIRS

Marshall, G.  Boyce, S.
O’Brien, K.W.K.  Barnett, G.
Faulkner, J.P.  Trood, R.B.
Wong, P.  Birmingham, S.
Arbib, M.V.  Humphries, G.
Sherry, N.J.  Cormann, M.H.P.

* denotes teller

Question agreed to.

Bill read a third time.

BUSINESS

Rearrangement

Senator CHRIS EVANS (Western Australia—Leader of the Government in the Senate) (1.27 pm)—I move:

That intervening business be postponed till after consideration of government business order of the day no. 3 (Uranium Royalty (Northern Territory) Bill 2008).

Question agreed to.

URANIUM ROYALTY (NORTHERN TERRITORY) BILL 2008

Second Reading

Debate resumed from 10 March, on motion by Senator Ludwig:

That this bill be now read a second time.

Senator MINCHIN (South Australia) (1.28 pm)—On behalf of the coalition, can I indicate our support for the Uranium Royalty (Northern Territory) Bill 2008. This bill will establish a uniform royalty regime for any future uranium project in the Northern Territory. The royalty regime of 18 per cent of net receipts will bring uranium into line with the mining of other minerals in the Northern Territory. On behalf of the coalition, I thank the secretariat of the Senate Economics Legislation Committee for their work in conducting the inquiry into this bill. I thank Senator Eggleston, as the deputy chair of the committee, for his remarks as provided in his additional comments to the report.

The changes proposed here have come about from a process that was commenced by the former coalition government, under the then Minister for Industry, Tourism and Resources, Ian Macfarlane. Australia is, as many know, the world’s second biggest producer of uranium. Our industry generated $658 million in export revenue in 2006-07 and provided over 800 jobs, mainly in remote parts of Australia. The Australian Uranium Association estimates that production of Australian uranium could increase from around the current level of 10,000 tonnes per year to 30,000 to 40,000 tonnes per year in 2030. The coalition in government recognised the economic benefits from uranium mining and understood that our uranium exports contribute to a reduction in global greenhouse gas emissions through use in nuclear power generation.

Worldwide adoption of clean energy generation and the role of nuclear power as a cleaner alternative, combined with Australia’s low-cost reserves, means there is enormous potential for growth of our uranium mining industry—a fact that the coalition consistently recognised and supported but that, regrettably, was always opposed by the Labor Party, who held onto their antiquated three-mines policy way beyond its use-by date.

In late 2005, the then coalition resources minister, Ian Macfarlane, announced the development of a Uranium Industry Framework in recognition of Australia’s low-cost uranium resources. The framework was a project to identify opportunities for and impediments to the further development of uranium mining in Australia, with the aim of reducing impediments to exploration, mining and the export of Australian uranium. The framework was to also look at ensuring a consistent and efficient regulatory regime and promote community understanding of the economic benefits of a safe, secure and
responsible uranium mining industry in Australia. In 2006, the framework’s steering committee presented a report containing 20 recommendations to support and develop uranium mining in Australia. The steering committee’s report stated:

The application of royalty arrangements for uranium development in the Northern Territory on a project-by-project basis is a major source of uncertainty and therefore a deterrent to further investment in the sector. New entrants to the industry are unsure about their potential royalty liabilities, and current arrangements mean that multiproduct uranium mines would be subject to the Northern Territory Government’s profit-based royalty and the royalty regime imposed by the Australian Government. This leads to administrative complexity and could result in tax-driven investment decisions. These problems could be avoided by the consistent application of a more sustainable uranium royalty regime in the Northern Territory which balances the needs of Indigenous communities, the mining sector and government.

Recommendation 13 of the report stated:

The Australian Government should establish, in consultation with stakeholders, a royalty framework for the uranium industry in the Northern Territory.

In January 2007, Ian Macfarlane announced the formation of an implementation group to work through the framework recommendations. That of course was interrupted by the 2007 election. But I am pleased that this bill gives effect to the NT royalty recommendation of that framework.

As I said, the coalition welcome this bill and the implementation of the recommendations of the framework because we have a consistent and longstanding commitment to responsible, environmentally sensitive and effectively regulated uranium mining in this country. There are of course some areas in Australia that should not be subject to uranium mining. One was advertised yesterday on the front page of the Australian: the Arkaroola Wilderness Sanctuary in the state of South Australia. It is one such area which many could not imagine could ever be subject to uranium mining. But there are many other areas in Australia where uranium mining can occur safely and with minimal environmental consequences.

This bill implements a recommendation of the Uranium Industry Framework and signifies that on some level Labor may be seeing sense on uranium and its potential benefits to the economy in Australia. In its submission and evidence to the Senate inquiry, the Australian Uranium Association highlighted a 2008 report by Deloitte Insight Economics that was prepared for the association. This report found that there would be significant economic benefits to the Northern Territory through to 2030 with an expansion of uranium mining, including $405 million more in investment and a $2.3 billion higher gross Territory product. The association advised the Senate committee that the Northern Territory has about 13 per cent of Australia’s uranium.

Unlike Labor, which as I said only abandoned its three-mines policy prior to the last election, and has a Queensland Premier and cabinet ministers still opposed to any expansion of uranium mining in this country, the coalition believe that investment in uranium mining should be encouraged and appropriate regulation put in place to ensure it is safe, efficient and of course environmentally sensitive. The coalition have always had a consistent policy in support of uranium mining—as long as it is conducted according to a very strict regulatory regime, one that was originally put in place in this country by the Fraser government back in the late 1970s. That is why we are pleased that this bill will give effect to a recommendation of the Uranium Industry Framework.
Currently, royalty regimes in relation to uranium in the Northern Territory—as I mentioned in quoting the steering committee report—are negotiated on a project-by-project basis. The Ranger mine has a 5.5 per cent ad valorem royalty. This bill will apply the existing profits based mineral royalty regime under the Mineral Royalty Act 1982 to new projects on Aboriginal land and non-Aboriginal land, meaning that all minerals in the Northern Territory will be under the same regime. I note that the committee gave significant consideration to the issue of an ad valorem versus a profit based royalty regime, particularly in terms of the moneys that would flow to Indigenous communities for mines on Indigenous land under each royalty scheme. Officers from the Department of Resources, Energy and Tourism stated in evidence to the Senate economics committee:

… we consider that a profits based royalty charge is more economically efficient in that it does not of itself act to distort investment decisions …

They also said:

A profits based regime can also result in greater returns to the community, particularly during periods of higher profits.

I note that coalition senators on the committee concluded that there would be no real difference in the royalties paid to Indigenous communities with a profit based system and therefore indicated their support for this proposal after consideration of all evidence presented, but particularly the evidence from the Northern Land Council on this issue. The department also highlighted the administrative improvements that would result from the bill and the reduced complexity for all involved in the mining sector in the Northern Territory, particularly, as highlighted in the committee report, in relation to polymetallic mines.

As a South Australian senator and a former resources minister myself I am encouraged by this bill and the fact that the Labor Party has brought this forward, and I confirm coalition support for its provisions.

Senator LUDLAM (Western Australia) (1.36 pm)—I rise to add my remarks to the debate on the Uranium Royalty (Northern Territory) Bill 2008. It would be no surprise to anyone in this chamber that the Australian Greens oppose uranium mining as an industry, because it poses unacceptable environmental and health risks and provides the essential ingredient of nuclear weapons. I have just spent the weekend in South Australia at the Australian Nuclear Free Alliance meeting. This is an organisation that has existed since about 1997. It is led by some very senior traditional Aboriginal people from right around the country, for whom uranium mining and nuclear waste dumping is not a matter of theory or political opinion but a matter of lived experience.

Most Australians have a healthy if distant scepticism for uranium mining, but for the people gathered in Quorn at the weekend these are matters of community life and death. At this point I pay my respects to the elders past and present who have led this campaign, often at great personal cost, and the campaigners from around the country, who are now into their third generation, who have stepped up against this industry since the fireballs of British nuclear weapons testing first lit up Central Australia.

I have a comment in response to Senator Minchin’s comments—and I am sure we will hear similar sentiments from the government when the minister debates this issue—that somehow it is possible to undertake responsible environmentally sensitive uranium mining. I certainly appreciate Senator Minchin’s sentiments as they apply to Arkaroola, a magical part of the country, and I do not un-
understand why those sentiments could not be extended to a place like Kakadu National Park, our most important World Heritage area, or indeed regional Western Australia, my home state, which is under threat of uranium mining at multiple locations. I think Arkaroola is precious, Kakadu is precious, Kokatha country is precious and Wongi country is precious, and there is no place for uranium mining anywhere on this ancient continent. I do not think it is possible to mine this mineral in a way which is respectful of country or culture or that mouthing the words ‘world’s best practice’ in some way justifies the massive intergenerational harm that this form of mining guarantees. For this reason, I will be circulating a second reading amendment which simply states that the bill should allow for the orderly phasing-out of this toxic and obsolete industry. No fiddling around the edges is going to make this industry all right.

To move to the substantive provisions of this bill, if uranium mining is to occur—and we know that it is and that there is a huge bipartisan push at the moment for this industry to expand across Australia—the Greens do not believe that a for-profit royalty model is the best one on offer. The Standing Committee on Economics report tabled today does not make a convincing case for this model at all. The case that was made through this exercise is that royalties per se are not benefiting Aboriginal people, not just in the uranium mining sector but right across the board, and that the system is essentially failing. The case was very convincingly made that this government has been captured by the uranium mining industry and that all this bill is really is an answer to the uranium industry’s wish list for a simpler, more streamlined way of getting this material out of the ground, from marginal deposits if necessary. I will get to the detail of that in a moment. As we said in our dissenting report, regulatory capture is an entirely appropriate description to use in this case, when observing the actions of this government and the previous government becoming the nuclear industry’s tooth fairy, granting the wishes of the uranium industry framework, which on the day it was set up and to this day is an unrepresentative and industry dominated creation of the former Howard government, to which the Rudd government has now sadly become beholden.

The bill seeks to fast-track and remove barriers to the uranium mining industry. It prioritises industry imperatives—and it has been quite upfront about that—industry access, industry certainty, industry administrative ease and industry profits over other criteria, such as Aboriginal community development, environmental protection and sustainable regional economies. Royalty calculations for other minerals in the Northern Territory are using the for-profit system, and the key argument that has been advanced in the report of the committee and in the drafting of the bill is that we may as well bring uranium in line with other minerals and make sure that the system up there is streamlined. I note at this point that that is not the system that predominates in the other big mining states, Western Australia and Queensland. It is simply not a robust argument when it has been proven to be not working for Aboriginal people in the Northern Territory. It has not even worked very well for the Territory government. If the Xstrata example, about which we had a considerable amount of evidence during our hearings in Darwin, is anything to go by, then this is not a robust system for calculating mining royalties. Creative bookkeeping, in the concealment of profits in this case, resulted in the Northern Territory government receiving no royalties at all from the McArthur River operations for over a decade. In fact, it would not have received any royalties except that
Xstrata was simply seeking to expand that mine to an open-cut operation. The case shows how difficult it really is to extract information required to calculate profits generated by the mining industry, which is compounded by the lack of transparency arising from commercial-in-confidence and other corporate secrecy provisions, which even FOI laws were unable to penetrate in the Xstrata McArthur River case. In my view, the committee was far too easily satisfied by assurances from the industry and government that potential for manipulation would be minimal and that rigorous assessment processes are in place ‘when in fact there is no such thing’. There have been very recent cases to prove the point that private profits can be maximised when royalty payments are minimised.

The fact of the matter is that uranium is unique. It is not like other minerals and these are not like other mines. The radiation from uranium mining and the daughter isotopes that are produced when uranium is unearthed are uniquely hazardous, persistent and indiscriminate, damaging our most precious legacy, the core human blueprint stored in our DNA and passed on to future generations. We know now that radionuclides with very long half-lives are cumulatively loaded into the environment and are resulting right now in ongoing impacts on health as well as long-term damage to the human gene pool. Given these unique health and environmental risks, uranium mining not only requires special regulatory and environmental requirements if it is to proceed at all but also requires case-by-case decisions. The health risks posed by proximity of residents and workers to radon gas emissions, for example, vary according to the location of the mine. Positioning of tailings dumps in relation to water sources is also unique in each instance and requires individual treatment. Therefore, negotiations and royalty systems should be tailored to the particular circumstance. I suggest at this point that that should apply right across the board and not just to uranium mining.

Facts were presented to the committee that neither royalty system is actually delivering significant or long-term benefits to Aboriginal people in the Northern Territory. We were told that the December 2008 report of the Native Title Payments Working Group—and this is an industry group with very serious industry representation—said:

... while hundreds of agreements exist between traditional owners and industry, there are only about one dozen agreements that provide substantial benefits to Aboriginal people and Torres Strait Islanders and exhibit principles embodying best practice ...

That is around a dozen out of several hundred agreements. This is a system that has failed and is failing today, and this bill will do nothing if not entrench that system further. We have not heard a word from the government yet about how the system that is supposed to be bringing development benefits to Aboriginal communities in the Territory is failing so catastrophically and we have seen no sign of reform. There is certainty no sign in the bill that is before us today. The Australian Greens are convinced by the evidence presented by this working group’s recommendations for a review to examine the extent to which Aboriginal people are benefiting from mining royalties. We will be pursuing such an inquiry and it is a disgrace that the government did not get onto the front foot to do so itself.

Not only is the royalty system in the Territory failing to deliver benefits, the current approval system under the Land Rights Act operating in the Territory forces Aboriginal people to consent to mining if they consent to exploration, and that has been quite seriously doing people over. The mining industry comes in and says, ‘We’re just going to have a little bit of a look around and see if
there is anything out there.’ You give consent to that and before you know it, you have given consent to mining operations. Of course this failure to consent to exploration can often result in the project progressing regardless, while cutting traditional owners out of the possibility of receiving compensation in the form of royalties, and this reinforces the disadvantage that we see today.

It is from this disempowered and marginal position that the government and the opposition seem to believe that Aboriginal people will be able to negotiate additional payments and benefits to fix all of the shortcomings of the royalty system. There is a ‘She’ll be right’ attitude within the system, but the situation clearly is not all right. It is an unacceptable way to address the gap that people will experience when they have given up their land and allowed water quality on their country to be compromised. And of course they will not be receiving payments when the market is down. This allows companies to forestall paying royalties to the Territory and Commonwealth taxpayer and to Aboriginal peoples during the nonprofitable start-up years and also the long periods when site remediation, replenishment of equipment or capital items will see no profits coming in.

Rather than acknowledging the systemic failure, the committee has instead recommended that uranium agreements be simply folded into an already dysfunctional profit based system largely on the grounds that this would remove a barrier to mining development, particularly for marginal uranium developments, and provide administrative consistency that ‘would be easier and involve less paperwork for business’. That’s great! While people are living in disgusting poverty in the Northern Territory, at least we are easing the paperwork burden on business.

This committee has allowed the government to encourage marginal outfits to use the profit based system to gamble the start-up of uranium mines, hoping for eventual profits. In the case of uranium mining—in any operation really but in uranium mining in particular—with its uniquely toxic and long-lasting waste streams, this is a pretty deadly gamble for the people who are right up close to it. If these companies go broke well before their deposits have been mined out—and uranium is a notoriously volatile and difficult industry in which to get a project up—the government and local communities will be left to deal with the mess. In fact the government seems to think it a good idea to encourage the development of more marginally economic projects. This is entirely reckless, very unpopular and out of step with community concerns, and it is certainly well out of the way of Labor’s supposed policies of the world’s best practice. I therefore move the second reading amendment on sheet 5908:

At the end of the motion, add “but the Senate calls on the Government to provide for the orderly phasing-out of uranium mining in the Northern Territory”.

This second reading amendment calls for the orderly phasing out of uranium mining in the Territory—not world’s best practice, not fiddling around the edges or marginal improvements. This is an industry that deserves to be phased out as rapidly as possible. Should this amendment fail, and I will not hold my hopes up too high, I would like to briefly foreshadow a number of amendments that we will be moving, which the Greens believe will at least improve the process that has been put forward by the government and clearly has opposition support. Our first amendment seeks to insert a standard recognised by the government for the Ranger mine in the Northern Territory. If the words ‘world’s best practice’ mean anything at all in this debate, it would mean a mine operating in Kakadu National Park certainly within the ecological boundaries of the
World Heritage area, with its own Commonwealth department, the Supervising Scientist looking over its shoulder, with a commitment to return mine tailings and wastes into the mine void when operations are concluded and with a commitment by the mining company to ensure that those tailings are physically isolated from the environment for at least 10,000 years.

That is not a stricture that we would place on gold tailings or nickel tailings; that is something that is unique to uranium mining. I do not know of any other case in the world where a uranium mine has had a requirement placed on it that the tailings should be isolated from the environment for 10,000 years. God only knows how the company plans on achieving that but at least those requirements are there. Of course those requirements should apply to any company seeking to operate a uranium mine in Australia if that is indeed what we would consider world’s best practice. The same duty of care should relate overall.

In order to implement a 10,000-year monitoring program, which takes us back roughly to the establishment of agriculture—and these are the time lines that we need to be considering in proposals for uranium mines—a dedicated royalty stream will need to be quarantined over and above environmental bonds and so on that the companies may or may not be required to put aside. That is the subject of another amendment.

The resources and mandate of the Office of the Supervising Scientist should be expanded from only monitoring the Ranger uranium mine to providing oversight of all uranium mines in the Northern Territory. We know that they do have some role. They are called in on a case-by-case basis to consider uranium operations elsewhere including in South Australia. This should be mandatory and there are amendments here providing for that.

Finally, to minimise the possibilities of another Xstrata happening, the Greens believe that the NT government should receive support from the Commonwealth to review the figures provided by mining corporations to the Northern Territory government. I am certainly hoping for support from the National Party in this instance. Senator Joyce, who attended the committee hearings in Darwin, spoke out quite forcefully in this regard. The Australian Greens have moved to put those concerns and ours into legislative form, and that is what this amendment is about. It simply will not hurt to have the full weight of the Commonwealth in a double-checking of what mining companies are up to. In fact I think it will be well worth the expense for the Commonwealth to validate the claims made by mining companies so that we know the profits are not being hidden by the sort of behaviour that Xstrata was getting up to in the NT. I will leave it there. I will return to speak to the amendments at the committee stage when they are moved.

Senator FARRELL (South Australia) (1.51 pm)—The background of the Uranium Royalty (Northern Territory) Bill 2008 was thoroughly canvassed in the report on that bill by the Senate Economics Legislation Committee. I have read that report and, with respect, agree with the analysis of the evidence presented and the recommendation of the majority that the bill be passed in its current form. This legislation is vital to the uranium industry in the Northern Territory. The Northern Territory holds, as Senator Minchin just indicated, 13 per cent of Australia’s uranium deposits. These resources are significant and they need to be carefully managed by the government to ensure that the uranium mining is done safely, efficiently and profitably.
As a South Australian senator I take particular interest in the mining industry because of its importance to my home state. Olympic Dam is located in South Australia’s far north and is the largest uranium mine in the world. The Beverley mine is also in operation and is the second largest uranium mine in Australia. The Honeymoon and Four Mile uranium mines will also begin commercial production in the future, which will further grow South Australia’s reputation as a reliable uranium exporter.

South Australia’s rise as a mining state did not happen overnight; it was the result of the South Australian government identifying mining as a priority in its strategic plan and proactively setting up a policy and regulatory framework to encourage mining investment. The South Australian example demonstrates how government policy can play a leading role in the development of mining industries. It is important for the government to clearly state its commitment to mining, to acknowledge the many benefits of mining and to put in place consistent and responsible laws governing the operation of mines to ensure that they are safe and provide a benefit to both the community and investors.

This legislation simplifies uranium mining in the Northern Territory. It does so by mirroring the Northern Territory’s Mineral Royalty Act 1982. The Northern Territory government will administer the legislation on behalf of the Commonwealth. The bill also provides some consistency to the royalty scheme so that mines that produce different minerals will need to adhere to just one taxation scheme, which will provide more certainty for investors. Polymetallic mining operations will benefit the most from these changes because they will be operating under a consistent set of rules rather than having to negotiate multiple regulatory systems. It will allow these mines to focus on mining and not on the complexities of the Northern Territory and Commonwealth legal systems.

Australia has the world’s largest supply of uranium. In a submission to the Senate Standing Committee on Economics the Executive Director of the Australian Uranium Association, Mr Michael Angwin, predicted that production of uranium would increase from the current level of 10,000 tonnes per year to 30,000 or 40,000 tonnes per year by the year 2030 as a result of rising world demand for energy. While I acknowledge that the global financial crisis has put the brakes on world economic growth for the moment, the demand for energy is predicted to continue to increase substantially. Asia is catching up with the industrialised world and its economic progress will significantly increase demand for Australia’s energy resources. Australia has the world’s largest supply of uranium at a time when world demand for energy is expected to increase exponentially. This will present many opportunities for Australia. As a nation we should develop the situation by laying the foundation for the world’s best practice when it comes to uranium mining.

The Australian Labor Party has been cautious in the past when it has come to the mining of uranium, and rightly so. It is a hazardous material and needs to be managed carefully so that it can be used responsibly for the benefit of the world. I understand that the coalition are supporting the government’s bill, as Senator Minchin indicated, but of course they have taken the opportunity to attack Labor’s record on uranium mining as being inconsistent. These accusations are untrue. When it comes to mining uranium, it is critical that the appropriate safeguards are put in place. The opposition points to the Hawke government’s three-mine policy and the current Labor government’s refusal to export uranium to India because they have not signed the nuclear nonproliferation treaty.
as evidence that Labor is not committed to Australia’s uranium industry. I can point not only to this legislation but also to the expansion of uranium mining in my home state of South Australia to prove that these critics are wrong.

The opposition accuse the government of being cautious when it comes to exporting uranium, and they might have a point. When it comes to uranium, mistakes can prove to be very costly. Labor’s policy is unapologetically pro-exporting of uranium but this issue requires the government to show leadership and overcome legitimate concerns in the community about the export of uranium. Many people in the community—and I am sure that the Greens would proudly claim to be amongst them—are opposed to uranium mining under any circumstances. If it were up to them, Australia’s mining export industry would be banned and the substantial wealth generated from these mining operations would be lost. Of course, that would be the practical effect of Senator Ludlam’s first amendment. They keep an eagle eye on Australia’s uranium industry, scanning for even the slightest adverse consequence from mining uranium to use to bolster their cause.

The Australian government is showing not just the people of Australia but also the world that it is committed to setting the world’s best practice standard when it comes to successfully exporting uranium. The fact that the Liberals complain that the government is not going far enough and that the Greens complain it has gone too far is just more evidence that the Labor Party occupies the middle ground on this issue. We support the legislation and oppose the amendments of Senator Ludlam.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Building the Education Revolution Program

Senator RYAN (2.00 pm)—My question is to the Minister Assisting the Prime Minister for Government Service Delivery, Senator Arbib. Did the government or the department undertake its own analysis of the funding of science and language centres by electorate? If so, when did it undertake this analysis?

Senator ARBIB—In regard to the science and language centres—and I thank Senator Ryan for the opportunity to discuss the program—

Senator Abetz—Answer the question!

The PRESIDENT—Order!

Senator ARBIB—In regard to the 537 science and language centres that the government is now supporting through its funding, the decision of the Minister for Education was based on advice she received from an independent panel established to assess the application submitted by a secondary school, based on a number of criteria set out in the BER guidelines. The education minister agreed to the list of projects as they were recommended by the independent panel. The panel’s recommendations were adopted without amendment. This is an outstanding result for schools across the country receiving funding that was neglected under the previous government. At the same time as that, the employment—

Senator Abetz—Mr President, I rise on a point of order. Sessional orders require that answers be directly relevant. The minister was asked a very specific question as to whether the government or the department undertook its own analysis of funding these centres by electorate. The answer is either
yes or no and he should now be required, given that he has only 30 seconds left, to actually answer that question.

Senator Chris Evans—On the point of order, Mr President: this is clearly a spurious point of order. Senator Arbib was asked a politically charged question. He has sought to outline the proper public processes that were put in train. He is directly answering the question by outlining the appropriate and proper processes that applied to these grants. There is no point of order.

Senator Brandis—Mr President, before you rule on the point of order, could I ask you to take into account the fact that, although you cannot instruct a minister how to answer a question, you do have an obligation to enforce the sessional orders. Therefore, you do have an obligation to ensure that the minister is directly relevant. With respect, it is no answer to that to say, ‘I can’t tell the minister how to answer the question.’ With respect, you are obliged to ensure that he is directly relevant. That is a judgment, Mr President, you must make. With respect to this question, the minister was asked whether a particular fact occurred or did not. It is within your capacity and obligation, if you are going to enforce the sessional orders, to ensure that the answer is directly relevant.

Senator Ludwig—Mr President, on the point of order: the minister has been directly relevant in answering the question. It is not a case that a politically charged question or a question that is framed for a yes or no answer requires the minister to answer yes or no. The minister can be directly relevant to the question by ensuring that if it is necessary to reject the proposition—the proposition is rejected by the questioner—and the answer is given as to what the framework and process is, then that is being directly relevant to the question.

Opposition senators interjecting—

The PRESIDENT—Order! There are others participating when I need to listen to Senator Ludwig’s point of order.

Senator Ludwig—I did think that the second point that Senator Brandis raised in relation to the obligation to import skated very close to calling your judgment, your decision, into account. But what the ruling does do—and what you are entitled to do, I humbly submit—is indicate whether or not the particular minister is responding to the question. My understanding of the response you have provided is that it does, in fact, do that. It is not a question of ruling whether the minister has indicated yes or no to the particular question; it is about whether the minister is being directly relevant to the question in his answer. The answer does not call in to question whether the minister has responded yes or no. To be directly relevant to the question, the minister—

The PRESIDENT—Order! You are now debating the question. On the point of order: I remind senators we are still have a sessional order trialling this system. I understand that completely. I also understand that the minister has 32 seconds remaining. I believe the minister is answering the question. It might not be in the way in which it is desired to be answered by those who ask the question—

Opposition senators interjecting—

The PRESIDENT—Order! I cannot force a minister to answer a question in a particular way. I can draw the minister’s attention to the question and I can ask the minister to address the question. But I cannot tell the minister, nor can I endeavour to elicit a particular answer from a minister that a questioner might like to hear. I draw to the minister’s attention the fact that he has 32 seconds remaining to answer the question and I ask the minister to continue.
Senator ARBIB—They have not heard of ‘independent assessment’, because in their time in government it did not exist. It did not exist. When a minister stands up and talks about an independent assessment, they get a bit surprised because they have never heard about that before. It was all the ministers making the decisions in those days, and we know they were all political decisions. I am advised that the department did not consider electorates or any analysis prior to the decisions being made.

Honourable senators interjecting—

The PRESIDENT—Senator Ryan, I am waiting to give you the call but I cannot until there is silence.

Senator RYAN—Thank you, Mr President, I appreciate the answer to yesterday’s question and the partial answer to the first one today. Can I also ask whether the minister can confirm the following troubling statistics? While 14 per cent of Labor seats missed out on any funding for science and language centres, 25 per cent of coalition seats—nearly twice as many—missed out. In Queensland Labor marginal seats each received over $8.1 million on average while coalition marginal seats received $3 million less.

Honourable senators interjecting—

The PRESIDENT—Order! When there is order, we will proceed. The time for debating the question is at the end of question time.

Senator ARBIB—Can I say to Senator Ryan, and can I put this on record again for all senators, that the process was totally independent. There was an independent assessment panel. I made it clear yesterday and I will make it clear again to all senators—because I think this information needs to be put on the record—the panel consisted of independent members. The panel consisted of Steve Carter from the Australian Council of Social Service, Andrew Blair from the Australian Secondary Schools Association, Bill Daniels from the Independent Schools Council of Australia, Angela Scarino from the Research Centre for Languages and Cultures and former Chief Scientist James Peacock. They made the decisions. They were not made by the minister. One of the key criteria was ‘disadvantage’. Those on the other side of the chamber do not understand disadvantage, but that is where these science and language centres are going and it was an independent process. (Time expired)

Honourable senators interjecting—

Senator RYAN—Thank you, Mr President—

The PRESIDENT—Order! Senator Ryan is entitled to be heard in silence—on both sides.

Senator RYAN—I note the minister referred to the independent panel in his first answer and, I believe, said the minister had not met with the panel. Will the minister confirm to the Senate that no-one in the minister’s office either directly or indirectly via the department had communications with members of the panel about allocating any of these projects?

Senator ARBIB—It is quite amazing that Senator Ryan thinks he has found watergate. This guy thinks he has found some major conspiracy.

The PRESIDENT—I draw your attention to the question, Senator Arbib.

Senator ARBIB—Thank you, Mr President. I am very—

The PRESIDENT—Order! Resume your seat.

Honourable senators interjecting—

The PRESIDENT—Order! Senator Heffernan, wait for the call. Order on both sides.

Senator Heffernan—You couldn’t even—
Senator Conroy—Mr President—

The PRESIDENT—There is no point of order, Senator Conroy.

Senator ARBIB—Again, I just confirm that the education minister agreed to the list of projects as they were recommended by the independent panel. The education minister has never spoken to panel members about their selections. It was an independent process. I know that some senators on the other side of the chamber—the Liberal Party, the National Party—know nothing about independent processes. We know the people who put together the ‘regional rorts’, the ethanol plants that did not exist and the funding down on Bondi Beach in the electorate of the member for Wentworth, do not understand independent process. But we certainly do and that is how this was done.

Honourable senators interjecting—

The PRESIDENT—Order! I am waiting to call Senator Furner. When there is silence, we will proceed.

Economy

Senator FURNER (2.12 pm)—My question is to the Assistant Treasurer, Senator Sherry. Can the Assistant Treasurer inform the Senate about the latest economic indicators and forecasts for the Australian economy? What do they show about business community confidence in the state of our economy and the role played in these results by the government’s swift and decisive action in implementing the stimulus package?

Senator SHERRY—Thank you, Senator Furner. Business conditions and confidence continue to improve, according to the latest surveys from the National Australia Bank and from Dun and Bradstreet. The D&B business expectations survey for the December quarter shows sales and profit expectations have recorded their biggest one-quarter increase since the survey began in 1998. The NAB business survey for August released this morning shows business confidence has increased to its highest level in six years. The NAB says:

The result is the strongest since October 2003 and indicates that businesses are very optimistic about the economy, monetary and fiscal measures undertaken by authorities to deal with the current global crisis as well as the resultant economic impacts.

The NAB survey also shows business conditions improved to their highest level in more than a year, since May 2008, immediately before the global financial meltdown. Of course, this week we certainly do not celebrate but we observe the events of a year ago in the United States, when the global financial crisis really hit the world economy. Retail, construction, wholesale, mining and finance all reported positive business conditions, with construction taking over from retail as the best-performing industry. Again, I would highlight the contrast between Australia and North America and most of Europe, where activity in these sectors has collapsed. This proves and the survey shows that the phasing—and I want to emphasise that the government’s stimulus package is a phased approach—from direct stimulus payments to investment in nation building infrastructure of the government’s economic stimulus is supporting activity and confidence in our economy. The recovery will need the continued support of our stimulus package. The job is not yet over and we are certain we are not out of the woods yet.

(Time expired)

Senator FURNER—Mr President, I ask a supplementary question. Can the Assistant Treasurer advise the Senate whether, in spite of those excellent figures, the Australian economy would still face serious dangers in the event that the stimulus is wound back?

Senator SHERRY—To withdraw the stimulus prematurely, as the Liberal-National
Party has urged, would pull the rug out from under the recovery. I mentioned yesterday that our annual economic growth is 0.6 per cent—the best of any advanced economy. However, employment growth is not about getting back to one per cent, bearing in mind that we are at 0.6. It is not about getting to two per cent of economic growth. For employment to grow, we have to get back to trend growth of three per cent and more. The NAB survey forecast that domestic GDP for 2009 will rise by 0.6 per cent, 2.1 per cent in 2010, with unemployment peaking at 6.7 per cent in 2010. Unemployment is currently at 5.8 per cent. So there will be jobs lost even with the most optimistic forecast. (Time expired)

Senator FURNER—Mr President, I ask a further supplementary question. Can the Assistant Treasurer inform the Senate of what he believes is the greatest risk to the growing signs of optimism that Australia is coming out the worst global financial crisis in 75 years?

Senator SHERRY—The stimulus package has and will save some 200,000 jobs. The Liberal-National Party position of saying no to stimulus, sit on your hands and do nothing was effectively a yes vote for more than 200,000 extra unemployed in this country. The greatest danger to Australia’s recovery is listening to people who voted against the stimulus package. If we look back four months, they were the same people who accused the government of being overly optimistic in our budget forecast and now they are saying that we are being too pessimistic. So, four months ago, they had a totally different position about the relative strength of the Australian economy from the one they have now. The greatest risk is having the end of game drinks at half-time. That is the greatest risk to the economy at the present time. All the advanced economies are still in the worst recession in 75 years. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence in the chamber of a parliamentary delegation from the United Kingdom led by the Rt Hon. Joan Ryan MP. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators—Hear, hear!

QUESTIONS WITHOUT NOTICE

Infrastructure

Senator EGGLESTON (2.17 pm)—My question is to the Minister Assisting the Prime Minister for Government Service Delivery, Senator Arbib. Minister, why did Labor marginal seats in New South Wales receive three times as much money under the so-called community infrastructure program as marginal coalition seats?

Senator ARBIB—I thank Senator Eggleston for the opportunity to talk about the community infrastructure program—a vital program that is providing vital funds to local councils that were neglected—

Honourable senators interjecting—

The PRESIDENT—Order! The time for debating this is at the end of question time, not now.

Senator ARBIB—It is pretty clear that the coalition do not want to hear the good news. They do not want to hear the good news about infrastructure being rolled out to local councils. They neglected them for 12 years. Who are the biggest supporters of this program in the country? Liberal mayors. Every time I go out and help announce one of these programs, a Liberal mayor—

Honourable senators interjecting—
The PRESIDENT—Order! When there is silence we will proceed. If you want to debate the issue, the time is post question time.

Senator ARBIB—Again, a Liberal Party mayor—and I have done a few of them—at the Mosman Drill Hall on Sydney’s North Shore—

The PRESIDENT—Senator Arbib, I draw your attention to the question.

Senator ARBIB—I am happy to answer the question because it is good news for the government. A Liberal mayor actually said to me at the time: ‘This is a fantastic program. The Liberals always neglect infrastructure.’ That was a Liberal mayor, and there are many of them.

Honourable senators interjecting—

The PRESIDENT—We will continue with the answer when there is silence.

Senator ARBIB—Thank you, Mr President. It is an extremely successful program and the Liberals on the ground, in your own electorates, think it is fantastic. Just for the record, when you get out into your electorates—because you do not actually get out into them—talk to the mayors, because they think it is fantastic. In relation to funding, Senator Eggleston has raised a number of issues, so I am going to put on record that there are $800 million in this program. And when you do a partisan, party political analysis, the ALP gets across the country 53 per cent of the funding—shock, horror. But guess what? When you actually look at how many MPs we have, 55 per cent of the members in the House of Representatives receive 53 per cent of the funding. (Time expired)

Senator EGGLESTON—Mr President, I ask a supplementary question. Perhaps the minister can explain why Labor-held seats in Victoria received almost 25 per cent more per seat on average than coalition-held seats? And can the minister honestly deny that political considerations had no influence on the federal government’s decisions in how to distribute its $550 million so-called community infrastructure fund?

Senator ARBIB—I am actually surprised that Senator Eggleston, coming from WA, would be complaining about funding that is going to infrastructure in Western Australia. I have to say that the shadow minister for workplace relations was not complaining. He was out there with a jackhammer, remember? Senator Evans had a photo of him out there with a jackhammer and with the construction hat on. Mr Keenan thinks it is a good program. He has welcomed it. He is out there with thumbs up on the project. And so is the Western Australian government, who believe the stimulus is needed. It is in the interests of the country, it is in the interests of Western Australia and it is something that all Liberal and National Party senators need to keep in mind. If you want to roll back the stimulus, tell us what infrastructure projects you will cut. (Time expired)

Senator EGGLESTON—Mr President, I ask a further supplementary question. Perhaps the minister can explain why Labor-held seats in Victoria received almost 25 per cent more per seat on average than coalition-held seats? And can the minister honestly deny that political considerations had no influence on the federal government’s decisions in how to distribute its $550 million so-called community infrastructure fund?

Senator ARBIB—Again, I inform the Senate that the program was not $550 million. The total local government program was $800 million. Of that $800 million, 53 per cent went to Labor electorates—remembering that 55 per cent of members of the House of Representatives are Labor. It was 53 per cent funding for 55 per cent. The coalition seats received 41 per cent of the funding across the country and you make up 42.6 per cent of the House of Representatives.

I also put on record, concerning the $550 million competitive element of the fund, that
137 projects were assessed independently by external auditors such as Pricewaterhouse-Coopers and McGrathNicol. Independent assessments, again, are something the Liberal Party knows nothing about. (Time expired)

Economy

Senator MARSHALL (2.25 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Can the minister advise the Senate on the recent performance of Australian industry, with particular reference to the steel industry? To what extent does the government’s stimulus strategy underpin that performance? Is the minister aware of any industry feedback on the strategy, and in particular—

Honourable senators interjecting—

The PRESIDENT—Senator Marshall, repeat the last part of that question. Interjections from both sides made it very difficult to hear the question. People are entitled to hear the question.

Senator MARSHALL—Is the minister aware of any industry feedback on the strategy, and in particular on the impact the government’s social housing and Building the Education Revolution initiatives are having on demand for Australian steel? What is the scale of the strategy and what proportion is being devoted to infrastructure? And can the minister tell us what long-term benefits the Australian people can expect from this investment?

Senator CARR—I thank Senator Marshall for that question.

Senator Ferguson—Tell us about your latest trip to Cuba!

Senator CARR—if you are complaining, Senator Ferguson, you should have thought of that before you brought in those standing orders. Over the last few weeks we have seen some encouraging signs from Australian industry, including the steel industry.

Senator Conroy interjecting—

The PRESIDENT—Senator Conroy! One of yours is trying to answer the question.

Senator CARR—Manufacturing is growing again, and demand for steel has risen each month since May. These are things that have not happened by accident. They have happened as a result of the government’s stimulus strategy. It is a strategy that those opposite have opposed right down the line. They have happened because this government is prepared to fight for Australian industry and for Australian jobs. They have happened because we are ready to work with industry to generate new investment and employment opportunities. A major employer, OneSteel, has said:

We remain encouraged by… Government stimulus initiatives to invest in infrastructure and boost residential and non residential building activity … we are expecting to benefit from the Government’s Building Education Revolution stimulus from late 2009 and from larger infrastructure projects as they ramp up from around mid 2010.

Industry clearly appreciates why the stimulus strategy is needed and the difference that it is making, even if those opposite have failed to do so. The government has invested some $77 billion in shielding Australia from the worst effects of the global recession, and 70 per cent of that money is going into infrastructure. It is being used to support jobs and business activity today which will create enduring assets that will go on delivering benefits for Australian industry, for Australian communities and for Australian workers for years to come. This is the investment in Australia’s future that we need and it is already paying dividends.
Senator MARSHALL—Mr President, I thank the minister for that very comprehensive answer and I ask a supplementary question. Can the minister inform the Senate how the government’s stimulus strategy and broader economic policies have shaped international perceptions of Australia as an investment destination? What significant new projects are in train and what opportunities do they create for Australian industry? What steps is the government taking to ensure that local firms have the chance to compete for major project work? What is the role of organisations like the Industry Capability Network and the government’s recently announced Australian industry participation package in maximising opportunities for domestic industry?

Senator CARR—Senator Marshall, Australia’s strong leadership and sound economic management through this period of global economic crisis has been recognised internationally and is being rewarded with new investment. The Gorgon liquefied natural gas project is just one example. The project will ultimately use some $33 billion worth of goods and services. Gorgon has already awarded more than $2 billion worth of contracts, the majority of which have gone to Australian companies. The Gorgon joint venture developed an Australian industry participation policy in the early stages of the project and is actively ensuring that local firms have every opportunity to get involved. It is working with the Industry Capability Network to identify Australian suppliers for this project. This is a great example of what the government is trying to achieve through its new $19.1 million Australian industry participation package. (Time expired)

Senator MARSHALL—Mr President, I ask a further supplementary question. Again I thank the minister for his answer. Can the minister explain the background to the government’s decision to establish an industry innovation council and appoint a supplier advocate for the steel industry? How do these initiatives serve the government’s stated objective of giving Australian firms in steel and other industries the best possible chance to compete for work, both in Australia and overseas? To what extent will the innovation council and the supplier advocate be engaged in building industry capability?

Senator CARR—The government cannot compel project proponents to use local products or local companies to bid for work. For example, Australian companies are showing a keen interest in bidding for contracts on the Gorgon project, but no local firm put in a bid to supply the larger, more complex steel modules, which is why the work has gone overseas. That is why the government is investing heavily to boost Australian industry capabilities and to match those capabilities with opportunities. That is why we have established a Steel Industry Innovation Council and are appointing a steel supplier advocate. Our aim is to ensure that Australian steelmakers have the knowledge, the capacity and the opportunity to bid for work, especially on major projects. We cannot guarantee—(Time expired)

Child Care

Senator PAYNE (2.32 pm)—My question is to the Minister representing the Minister for Early Childhood Education, Childcare and Youth, Minister Arbib. Is the minister aware of recent independent modelling commissioned by Childcare Queensland which has estimated that the annual increase in childcare costs for parents with just one child in care could be in excess of $3,000 each year due to the government’s so-called reforms?

Senator ARBIB—I can inform Senator Payne that I was actually not aware of that. I have not seen that report. I am not the minister for child care but I am happy to represent
her in this chamber. I am extremely happy to talk about her quality reform agenda. This was started by the then Parliamentary Secretary for Early Childhood Education and Childcare, Maxine McKew. She started the process of reform with consultation right across—

Honourable senators interjecting—

The PRESIDENT—Order! We will not proceed until there is silence. Calling across the chamber at each other, by either side, does not assist the conduct of question time.

Senator ARBIB—The government has an ambitious reform agenda and it is focused on improving the affordability, access and quality of early education and care in Australia. That is something which I think every senator in this chamber should support. We have backed this agenda with $16 billion in funding for early childhood education and child care over the next four years. That is more than $1 billion a year more than the previous government.

In relation to affordability, we have delivered on our election commitment to pay half of the out-of-pocket childcare costs of Australian families by increasing the childcare rebate from 30 per cent to 50 per cent. This has dramatically improved affordability, with recent ABS statistics showing childcare costs for parents have fallen by almost 20 per cent over the past year. This is in stark contrast to the 13 per cent cost increase in the last year of the Howard government. We will continue with this agenda because it is critical to learning in secondary and tertiary education that you get early child care right. It is also important that children in families where there is risk of neglect and abuse have access to the highest quality possible child care—absolutely imperative. (Time expired)

Senator PAYNE—Mr President, I ask a further supplementary question. Is it correct that Labor promised at the last election to slash parents’ childcare costs? Will the minister now admit to thousands of parents that this is another broken promise in the long litany of broken Labor promises? Will the minister also admit that childcare costs will rise?

Honourable senators interjecting—

The PRESIDENT—Order! I will give the minister the call when there is silence.

Senator ARBIB—I think this is the third time I have actually explained it, but, again, we are committed to increasing the childcare rebate from 30 per cent to 50 per cent. We have done that; we have kept our commitment—and families across the country are benefiting. In terms of the forward agenda, our ‘quality’ agenda: we are holding public consultations right now—

Honourable senators interjecting—
The PRESIDENT—Order! Senator Arbib, resume your seat. When there is silence I will ask the minister to continue.

Senator ARBIB—Consultations have been, and are being, held right across the country—2,000 people have attended, 400 written submissions have been received and online surveys have been completed by over 1,000 parents. We released these options, and will continue to look at all the options. I can inform parents that no decision has yet been made in relation to the final position of the government. We will continue to work with the sector, we will continue to work with childcare providers and we will continue to work with community organisations to make sure we get the balance right and that our children are put first.

Afghanistan

Senator BOB BROWN (2.38 pm)—My question is to the Minister for Defence, Senator Faulkner. The Prime Minister stated to the House on 20 August:

Credible elections are critical to strengthening Afghanistan’s democratic process and institutions and consolidating the progress made since the 2004 elections.

Is it not now obvious that the elections in Afghanistan have been a farce on a broad scale and have involved widespread fraudulence, including 800 mythical ballot stations which returned a 100 per cent vote for President Karzai and another 800 ballot stations in which Karzai representatives stuffed pro-Karzai ballot papers into ballot boxes? Does this government hold the election as credible? Will it support Chancellor Merkel and Prime Minister Brown in calling for a United Nations conference in the wake of these elections?

Senator FAULKNER—I thank Senator Brown for his question, because I think it is a very important question. I should say that, despite the courage shown by many ordinary Afghans on election day, I certainly am—and I believe I can say the Australian government certainly is—very concerned about allegations of corruption and fraud in the conduct of the Afghan elections. Of course, the Australian government urges the Afghan electoral authorities to investigate and respond to all the complaints that have been made. It is important to remember that there are constitutionally mandated processes for such investigations. Australia certainly supports the call that has been made by the United Nations for Afghans to respect these processes and to be patient while awaiting final results.

You might recall that the United Nations Secretary-General’s Special Representative for Afghanistan has called for the constitutionally mandated processes for investigating irregularities to be respected. It is true that, irrespective of who wins the election, there will be a need for the international community to urgently address issues such as governance, corruption—(Time expired)

Senator BOB BROWN—Mr President, I ask a supplementary question. In the wake of the corruption, which the minister acknowledges, I ask: does the Rudd government accord this election credibility? Secondly, is the Rudd government supporting the call by British Prime Minister Brown and German Chancellor Merkel for a United Nations conference to review the situation in Afghanistan?

Senator FAULKNER—I thank Senator Brown for the supplementary question. I stress the call from Kai Eide, the UN Secretary-General’s special representative, to en-
sure that the constitutionally mandated processes for investigating irregularities be respected. I think it is proper that the Australian government does that also. Of course, the issue that Senator Brown raises in relation to credibility can be addressed subsequent to that. I do respect that call. I was going to say that, certainly, issues of governance, corruption, anti-narcotics efforts, respect for women and international human rights are issues that will need to be addressed by the international community. I am certainly also aware of German Chancellor Angela Merkel’s and UK Prime Minister Mr Brown’s proposed plan for an international conference—(Time expired)

Senator BOB BROWN—The minister might complete that answer when I have finished my further supplementary question. What has been the government’s response to the demoralising news that 24 or more civilians have been killed in the latest strike, on the two tankers which had been commandeered by the Taliban in Afghanistan?

Senator FAULKNER—The first issue raised is in relation to the proposal for an international conference on the future of Afghanistan and the plan of the two leaders to ask the United Nations for support of that concept. I can say that, as the largest non-NATO contributor to the International Security Assistance Force in Afghanistan, Australia would certainly be very happy to participate in the proposed conference. I stress that the focus on governance and development would align well with other international efforts in Afghanistan, including the assessment undertaken by the Commander of ISAF, General McChrystal. I would like to be able to address the issue of civilian casualties but—(Time expired)

Breast Cancer Screenning

Senator ADAMS (2.45 pm)—My question is to the Minister representing the Minister for Health and Ageing, Senator Ludwig. Will the government rule out limiting the availability of breast cancer screening to women?

Senator LUDWIG—I thank the senator for her question. I know that it is a very important question. BreastScreen Australia is one of the best breast cancer screening programs in the world. Since 1991 the Commonwealth has been working with the states and territories to provide free biennial mammograms to women aged between 50 and 69 years, with women aged from 40 to 49 years and 70 years and over also being eligible to attend.

The important study led by Dr Helen Zorbas, from the National Breast and Ovarian Cancer Centre, which we have recently seen in the media demonstrates the effectiveness and value of BreastScreen Australia. The report that Dr Zorbas brought forward found that the program was well accepted by women, more broadly accessible and cost effective. It found that participation in the program by women in the target group had increased from 51.4 per cent in 1996-97 to 56.2 per cent in 2004. The program has reduced the mortality rate in the key 50 to 69 years of age target group.

The report highlights areas where the program can be improved, particularly in increasing the participation of Indigenous women and workforce shortages. The Rudd government moved to address some of the capacity issues with an investment of $120 million in this year’s budget. We have provided significant funding to replace BreastScreen Australia’s outdated equipment with state-of-the-art digital mammogram equipment. In providing that $120 million we are providing assistance for this. (Time expired)

Senator ADAMS—Mr President, I ask a supplementary question. Given the record levels of government debt, will the minister
admit that any moves to limit the eligible age for screening mammograms will merely be a desperate attempt by this government to save money by endangering the lives of women and by restricting the ability to detect and treat breast cancer?

Senator LUDWIG—The short answer is, I think, no, but I will seek further particulars from the Minister for Health and Ageing. BreastScreen Australia is a very important program and it will continue. I make that plain. The expert committee has provided us with a number of options to improve the program, and the government, the states and the territories are jointly considering these options. The recommendations will be discussed further at the Australian Health Ministers Conference in November.

The government released the BreastScreen Australia evaluation report yesterday. It is about ensuring that this very important program will continue. The expert committee has provided us with a number of options for improving the program. The government and the states and territories, as I have indicated, are jointly considering those options. (Time expired)

Senator ADAMS—Mr President, I ask a further supplementary question. Is the government aware of the anxiety being caused to women by reports that it may limit breast cancer screening to women aged between 45 and 75 years?

Senator LUDWIG—This is a very serious issue. The difficulty always is in addressing what may be regarded as a question that suggests answers. As to government funding for cancer screening, what I can say is that the government has committed $2 billion to build a world-class cancer care system in Australia, including an investment of over $1.3 billion to improve Australia’s—

Senator Coonan—Mr President, I hesitate to make this point of order but it goes to relevance. This is a very important issue. I am not for a minute impugning the minister’s answer but there are many younger women in Australia who are desperate to know whether the government will rule in or rule out providing to them this vital service of mammograms. Would he please answer the question?

Senator Ian Macdonald interjecting—

Senator Chris Evans—On the point of order, Mr President, Senator Adams asked a serious question. She has a reputation for knowledge in this area and a keen interest. The minister answering the question has treated the question seriously and tried to convey information.

Senator Ian Macdonald—He is not answering.

Senator Chris Evans—He is explaining the government’s position in response to a report that was released yesterday. I think it really is unfortunate that the opposition keep taking points of order that are frivolous and interrupting what I thought was a very serious attempt to answer a very serious question.

Honourable senators interjecting—

The PRESIDENT—Order! Order on both sides, please. A terribly serious question has been posed. On the point of order, the minister is answering the question. I draw the minister’s attention to the question that has been asked and I believe the minister has 33 seconds remaining to answer the question.

Senator LUDWIG—The opposition should take heed and be very careful not to run a scare campaign on such a very serious matter. As I indicated, the committee recommended better targeting for women in screening for breast cancers to ensure that those most at risk are able to access free screening. The government, jointly with the states and territories, is considering the op-
tions presented in the report. I also said right at the outset that BreastScreen is a very important program. *(Time expired)*

**Economy**

**Senator WORTLEY** (2.52 pm)—My question is to the Minister representing the Minister for Finance and Deregulation, Senator Conroy. Can the minister explain to the Senate why it would be reckless and irresponsible to wind back stimulus spending? Can the minister outline the effectiveness of the government’s stimulus spending?

**Senator CONROY**—I thank Senator Wortley for her question. Despite the opportunist politics being practised by those opposite, the job of the economic stimulus in the Australian economy has been critical and is far from finished. The government’s stimulus packages were carefully designed to provide appropriate, staged support to the economy while providing a plan for the renewal of Australia’s long-neglected infrastructure. Economic stimulus has been absolutely critical to the strong economic performance of Australia, compared to the other major advanced economies, in the face of the worst global recession in 75 years.

**Senator Brandis**—Not to mention zero debt!

**Senator CONROY**—Those opposite have just got to come clean. Senator Brandis is interjecting again because he just cannot face the fact that you got it wrong. Just apologise. *(Time expired)*

**Senator WORTLEY**—Mr President, I ask a supplementary question. Can the minister advise the Senate whether the government’s fiscal stimulus is backed by leading Australian economists? Is there support for the government’s position that the stimulus is vitally important to the Australian economy?

**Senator CONROY**—A range of experts and commentators have recognised the importance of the government’s stimulus measures in sustaining economic activity in Australia during the worst global economic crisis in 75 years. They have also recognised the importance of these measures being allowed to run their course in order to support a sustainable recovery. Bob Cunneen, a senior economist from AMP Capital Investors, said on 2 September:

> Compared to the deep recessions in America, Europe and Japan over the past year, Australia has sailed through the global financial storm given the benefit of assertive and timely policy stimulus in late 2008...

Honourable senators interjecting—
The PRESIDENT—Order, on both sides! I need to hear Senator Conroy. Senator Conroy, continue.

Senator CONROY—Michael Blythe, CBA Chief Economist, said on 2 September that the second quarter national accounts delivered ‘a picture of an economy that has responded well to the hefty dosage of policy medicine delivered over the previous nine months’. (Time expired)

Senator WORTLEY—Mr President, I thank the minister for his response and ask a further supplementary question. Can the minister advise the Senate on the implications of adopting alternative approaches in the current global economic climate? What would have been the impact on jobs and economic growth if the government’s fiscal stimulus had not been implemented?

Senator Ian Macdonald—Mr President, I rise on a point of order.

Honourable senators interjecting—

The PRESIDENT—Order! I am entitled to hear Senator Macdonald.

Senator Ian Macdonald—Mr President, is this not a hypothetical question, which is banned under the standing orders?

The PRESIDENT—No. There is no point of order.

Opposition senators interjecting—

The PRESIDENT—I have ruled that there is no point of order. Senator Conroy, respond.

Senator CONROY—Last week’s national account figures showed just how big a misjudgment it was for Mr Turnbull and those opposite to oppose the stimulus. If Mr Turnbull had had his way, Australia would be in recession. That would have been your legacy if he had been successful. Tens of thousands more jobs would have been lost. He would rather have seen Australia go backwards—
senators against taking simplistic views on this matter. This CRC program is highly competitive, and opposition senators would of course be the first to scream blue murder if it were suggested that the government had intervened in the selection process. However, it is wrong to assume that the biosecurity CRC, as it is currently known, is the only way in which the government addresses critical national biosecurity issues. That position is plain wrong.

Senator Scullion interjecting—

Senator Abetz interjecting—

The PRESIDENT—Order! This is a serious issue. Senator Carr.

Senator CARR—The claims that are being made about that CRC need to be assessed against the reality of where the research is actually undertaken in this country. That goes to AQIS, that goes to Australian Customs and it goes to a range of other bodies, including the CSIRO, which has undertaken research in this area for some time. So any bid for funding under the CRC program needs to be assessed against the reality. (Time expired)

Senator BACK—I urge the minister to check the sources in his answer to my question. Mr President, I ask a supplementary question. Given that the government provided a special $15 million grant to the bushfire CRC to keep it operating after it failed to gain further CRC funding, is the government now also considering a special appropriation for the critical biosecurity CRC; and, if not, why not?

Senator CARR—The senator is wrong again on fact—wrong on fact. The $15 million that was given to the bushfire CRC was provided before their application was dealt with by the committee. The CRC committee assesses applications independent of government. The CRC committee assesses them against a range of criteria. If the applications are not good enough in terms of the CRC committee’s assessment, what would you have the government do? The CRC program is intended to provide funding to tackle major challenges for definite periods and with definite outcomes. The advice I have from senior CSIRO staff is that alternative funding models are probably more appropriate to address emerging infectious diseases such as the Hendra virus. It is inappropriate and dead wrong for you to suggest that we should politically intervene in the assessment process. (Time expired)
Senator Chris Evans—Mr President, I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Afghanistan

Senator Faulkner (New South Wales—Minister for Defence) (3.05 pm)—During question time, Senator Bob Brown asked me a series of important questions but, because of the constraints of our sessional orders and the serious nature of the questions, I was only able to answer one part of the last question that Senator Brown asked me, which went to the issue of the proposed UN conference requested by Chancellor Merkel and Prime Minister Brown. The other issue related to civilian casualties, and I just wanted to briefly respond to that now, because I think it is critically important.

I can inform the Senate that of course I am very much aware of reporting that there was an air strike in Kunduz province on 4 September which appears to have resulted in civilian casualties. ISAF have reported that they are undertaking an investigation into the incident, and that investigation is running its course as we speak.

I can assure Senator Bob Brown that the Australian government takes the issue of civilian casualties seriously. I can assure him that I do. Australia’s rules of engagement are specifically designed to avoid civilian casualties and to avoid damage to civilian infrastructure but also of course to provide a maximum level of protection to our troops. I share the strong view with many that the death of any civilians and noncombatants during any conflict is very regrettable.

I think it is important to note that the Taliban insurgents continue to employ tactics that place innocent Afghans at high risk, by choosing to launch attacks from heavily populated areas, and I stress, as I have said so many times in this chamber, that Afghanistan remains a dangerous place; that Uruzgan province, where we operate, is both dangerous and challenging; and that we must remember, as we address these important issues, that we face an enemy who, as I have said before and I stress again to the Senate, is ruthless and determined.

Timor Sea Oil Spill

Senator Wong (South Australia—Minister for Climate Change and Water) (3.08 pm)—Yesterday, Senator Siewert asked me a question in my capacity representing the Minister for the Environment, Heritage and the Arts. I have some further information to add to the answer provided, which I now table and seek leave to have incorporated in Hansard. Leave granted

On 7 September 2009 during question time, Senator Siewert asked me a question as Minister representing the Minister for the Environment, Heritage and the Arts concerning the number of barrels of oil leaking from the Montara oil field in the Timor Sea and the best estimate of the amount of oil that will be entering the environment during the period of this leak.

The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable Senator’s question:

An accurate measurement of the flow from the uncontrolled Montara well is not possible for a number of reasons, including that the condition of the well is unknown and the facility is unable to be accessed for safety reasons. Following media reports on 29 August 2009 of claims by Senator Siewert that 500,000 litres of oil per day were leaking from the Montara well, the government asked PTTEP for an estimate of the flow rate. PTTEP advised that an accurate measurement was not possible, but the best estimate that could be made was in the order of 300-400 barrels (48,000-64,000 litres) a day.

Regardless of the amount of oil, it is important to note that the clean-up is being well managed by the Australian Maritime Safety Authority and that
the oil is moving slowly northeast of the rig and away from the coast and the Ashmore and Cartier Island Commonwealth marine reserves.

I would also like to clarify a point I made yesterday in relation to the engagement of an expert to assess the oil affected area and prepare a preliminary wildlife response plan. The Commonwealth Department of the Environment, Water, Heritage and the Arts has engaged an expert in oiled wildlife response from the Queensland Department of Environment and Resource Management, who coordinated the wildlife response to the Moreton Island oil spill earlier this year. Last week the expert carried out surveillance of the area, including the Ashmore Reef and Cartier Island Commonwealth marine reserves.

QUESTIONS WITHOUT NOTICE:
TAKENOTEOFANSWERS

Answers to Questions

Senator RYAN (Victoria) (3.08 pm)—I move:

That the Senate take note of the answers given by the Minister for Employment Participation (Senator Arbib) to questions without notice asked by Senators Ryan, Eggleston and Payne today.

Over the last few days, there has been much discussion in this chamber, in the other place and in the media about the application of funding under various aspects of the Labor stimulus program. I am not going to talk in a more general sense about the stimulus program—that will be covered by my colleagues—but I will address some of these facts that have been in the public domain. The reason this has been in the public domain is that Labor has form. There is good reason for the public to doubt Labor’s claims that funds are applied in a fair and transparent way. Those who have been around this place a long time will remember the whiteboard. Those in states that have, unfortunately, been governed by the Labor Party will know that when independent panels are quoted by the Labor Party it is often a veil of independence to cover a politically motivated program.

It took the Minister for Employment Participation a while to come back to this chamber and outline that the panel’s advice with respect to the Science and Language Centres for 21st Century Secondary Schools program had been followed. But the minister could not confirm whether there had been any discussion between either his office and the panel or between the responsible minister’s office and the panel about this funding program. Those questions need to be answered. The question we have today is: why on earth do these numbers betray such a political agenda? I will quote a few of these numbers for the benefit of the record. Under the science and language centres program, Labor marginal seats receive on average $1 million more than coalition seats. Inner metropolitan seats held by Labor receive an extraordinary 3½ times as much as the same type of seat held by the coalition—$3.5 million compared with just under $1 million each on average. Labor seats in outer metropolitan areas receive almost double the amount coalition seats receive—$5.6 million to $2.9 million—and when all metropolitan seats across Australia are considered the bias in favour of government held seats is more than doubled: $4.4 million to $2.1 million. Australia is a relatively homogeneous country and when like is being compared with like there are very serious questions to be answered about how any panel could come to such an extraordinary differential in applying funding for schools.

Despite the much smaller number of seats held in rural Australia, we also see a bias there in favour of the government. Government held rural seats receive just under $9.6 million, with coalition seats receiving a little over $9.3 million each on average. The bias is comprehensive and begs an answer. When we consider marginal seats in the state of Queensland, the numbers are again extraordinary and defy belief if we believe what the
government has to say. Nine government held marginal seats in the state of Queensland receive on average just over $8.1 million each, whereas seven coalition held marginal seats in the same state receive just under $5.2 million each. On average, government held marginal seats in the state of Queensland receive nearly $3 million more than their coalition counterparts. In my home state of Victoria, the bias is again quite extraordinary: every single government held seat received funding under the program, whereas just under one in five non-Labor seats missed out entirely. Of metropolitan seats in Victoria, coalition held electorates received an average of $2 million each and Labor held electorates received an average of $6.5 million each. These numbers come from the government’s own figures, and the classifications of seats are the same as those used by the Australian Electoral Commission. We have read in today’s Australian Financial Review that the community infrastructure program has also seen a similar level of bias in its application of funding around Australia.

The Labor Party has long had form on this—a leopard does not change its spots. Whether it hides behind a veil of independence does not change the fact that the numbers tell us something. The numbers tell us that money is being spent in Labor held seats at the expense of the rest of the community. Everyone pays taxes, but not everyone receives the benefit. This is a stimulus program for the Labor Party, not a stimulus program for Australia.

Senator CROSSIN (Northern Territory) (3.13 pm)—I rise in response to Senator Ryan’s motion to take notice of answers today in question time. What is not accepted by the opposition in this place at this time is that these decisions have been made at arm’s length from the government. They will not accept that. They prefer to accept the allegation that more of the funding has gone into Labor held seats, which is not correct. Assessments have been made by an independent panel at arm’s length from this government—something that the previous government did not do. All I need do is cite the rural and regional grants paid through the area consultative committees as an example. The grants were controlled entirely by the minister, dished out entirely according to where or where not their members in marginal seats had been re-elected at the previous election. The coalition government had a grants program allocated through the area consultative committees. The minister kept a stranglehold on them in his office, where they were vetted absolutely by ministerial staff and the minister and where they were given out absolutely according to where they could curry the most favour with those in the electorate.

If we have a look here at two of the programs I assume that the opposition are talking about, the Regional and Local Community Infrastructure Program provided funding to every—every—council and shire in this country. Under the $800 million community infrastructure program the government is delivering funding to every council regardless of their political persuasion and regardless of what sort of political electorate representative they have. Let us get this very clear here. It is being delivered to every council and shire in this country regardless of the electorate. Fifty-three per cent of the stimulus was directed to Labor held electorates but in fact Labor MPs actually comprised 55 per cent of the House of Representatives. So again, every council and shire in the country received funding from the Regional and Local Community Infrastructure Program, the largest ever federal investment in local infrastructure.

Three of the top four grants were provided to coalition electorates, so it flies in the face of anything that we have heard from people
on the other side of the chamber this afternoon. Three of the four largest single project grants are in coalition electorates. What are they? The safe Liberal seat of Moncrieff received the largest single grant of $36 million towards a new 25,000-seat AFL and sports stadium at Carrara. Where is the bias in that? It is nowhere. There is fairness and accountability in this.

Einasleigh River in Kennedy, which is held by the Independent member Bob Katter, got $18 million. Then we have the Flinders Street Mall in Townsville, which is in the seat of Herbert, another coalition held electorate, $16.2 million. There is the Goulburn River High Country Rail Trail in the seat of Indi, held by Mrs Mirabella, and the electorate of McEwen, which received $13.2 million. Again, four of the largest projects handed out are actually in coalition seats. So you cannot stand up on the other side of the chamber and allege that there is some gerrymandering of money being handed out—a cash splash—to Labor seats under this government. The figures defy that and show otherwise.

In a state by state breakdown, in New South Wales the total amount of funding was $138.5 million. Sixty-five per cent of the money is going to Labor seats, and Labor has 50 per cent of the seats. In coalition and other seats we have $47.2 million. So if we want to have a look at what is happening with this funding, we can see that the majority of seats that have the largest grants are coalition held seats.

If we go to the questions from Senator Ryan today about the science and language centres, again and again this opposition has been told that an independent panel has made that assessment. The BER guidelines were released in February. They stated that DEEWR would convene an independent assessment panel, which they did. That panel looked at the criteria and made recommendations. (Time expired)

**Senator FIFIELD** (Victoria) (3.18 pm)—Over the last two question times we have witnessed skills which I think indicate that Senator Arbib would be a gun skier—and I will explain what I mean. The minister was asked a series of questions by Senator Ryan in relation to the science and language component of the BER. He was asked if Labor held metropolitan seats received double the amount of coalition held metropolitan seats. He was asked if Labor held marginals received on average $1 million more than coalition marginals. He was asked if any electorate by electorate analysis was undertaken by the minister’s office during project assessment.

There were no answers. Senator Arbib treated Senator Ryan’s questions as a slalom course to be negotiated, and it is clear why. The truth is the government’s stimulus package is not about economic strength; it is about political strength. It was all about being seen to be doing something regardless of effects. That is why the Senator Arbib and the government cannot answer how many jobs will be created from the $14 billion school spend. They cannot answer because they do not know. They do not know because they did not ask. And they did not ask because they were not interested. The purpose of the spend was to be seen to be doing something. It was there as a cover for a bit of old-fashioned pork-barrelling.

It is not about securing an economic dividend. It is about securing a political dividend. Efficacy was the last consideration. Look at the pink batts. Look at the bike paths. I think that Chris Berg from the Institute of Public Affairs put it well when he came up with a new definition for the noun ‘stimulus’. He defined it as ‘a huge amount of money spent on any old crap’. I think that
is the best definition I have heard of this program to date.

Mr Deputy President, I know that I am depressing you so I will endeavour to lift your spirits. There is good news. Australia is faring better than had been expected and it is instructive to look at the Reserve Bank governor’s statement on monetary policy from 4 August which makes clear why Australia is faring better than other comparable nations. He cites five reasons. The first is the strength of the Australian financial system—nothing to do with the current government. He cites the significant monetary stimulus from the reduced cash rate—nothing to do with the current government. He cites the depreciation of the exchange rate in 2008—nothing to do with the current government. He cites China’s strong economic recovery—nothing to do with the current government. His fifth and final citation is the government’s fiscal stimulus, and the question I ask is: okay, but how much effect and at what cost? I would contend at great cost and with little effect.

It is important to appreciate the limits of fiscal stimulus. Fiscal stimulus can only make a difference at the margins. If Australia were headed for a deep and prolonged recession, no amount of stimulus would prevent that. If Australia is going to avoid a deep and prolonged recession—as it looks likely to—it will not be because of Labor’s stimulus; it will be because of the other four elements cited by the Reserve Bank governor. I must say that the governor was both modest and politic in his statement.

We contend that the stimulus should have been smaller and better targeted. That is what we have argued. To continue the planned spend will plunge the budget further into deficit and debt. We know that to continue to spend will push up interest rates. We know that to continue to spend will continue the greatest electoral rort in Australian political history. This is a rort that must end. This is a rort that must stop. It is good news that the Auditor-General is already investigating one element of this rort—the schools spending package.

The government frequently ask: how would you curtail this economic stimulus? I have a few ideas. Look at the pink batts, the bike paths and the excessive $14 billion spent on schools. It is not too late for the government to think again. They can save Australia from a future of deficit and debt. (Time expired)

**Senator JACINTA COLLINS** (Victoria) (3.23 pm)—As tempted as I am to address the childcare issue on this occasion, I will focus on the language and science centres issue that Senator Fifield addressed at first but then strayed well away from. I say to Senator Fifield: do not try skiing, because you are lacking the snow. Senator Ryan’s questions about which electorates got what, how they compare and what the overall comparison really meant demonstrate that what the previous government did in terms of pork-barrelling has not been applied in this case. The attempts of the opposition to overlay a crass political assessment to these programs is laughable.

Senator Fifield referred to the opposition’s position in relation to our stimulus. Their view is that we should have spent less and it should have been more targeted. He forgot the critical component. The critical component was that our response needed to be timely. Our economic circumstances are where they are today because our response was timely. Our spending in schools was part of that timely, very critical and important response. It was the need for timeliness that encouraged the Rudd government to invest in infrastructure in schools, where this phase of our overall response could be rolled out relatively quickly.
It is important to repeat what Senator Arbib said in question time today. He said, ‘I am advised that the list of fully costed projects deemed by the independent national assessment panel to be highly suitable or suitable was adopted by the government.’ The independent panel determined which fully costed projects were highly suitable or suitable under established criteria, and the government accepted those recommendations. Let us look at what those criteria were.

The criteria for assessment did not include electorates. This is the opposition’s crass political overlay. That is what has informed, unfortunately, the media attention in the last day or so and the discussion in this chamber—their crass overlay. The answers about exactly which electorates got what are not immediately available for some very good reasons, and I will go through some of them.

The applications were assessed by the national assessment panel against the following criteria in order of priority: demonstrated level of disadvantage—if there are more Labor members in electorates where there is a higher level of disadvantage, maybe that better informs the assessment that Senator Scott Ryan has done rather than who the sitting member is; identified and demonstrated need for the specified building—so which schools needed language and science centres; the capacity to build the facility within the specified time frames—again this is the critical issue of timeliness; the effective and efficient use of Commonwealth funding; and the extent to which the project incorporates sustainable building principles. Those were the criteria. Data on a school’s electorate was not collected and was not required as part of the application process. The national assessment panel did not consider electorates when making their recommendations. The brief to the Deputy Prime Minister with the recommendations did not include electorate information.

What we really have here, rather than this crass political overlay, is this government delivering 537 science and language centres in secondary schools across Australia, including more than 160 in regional and remote schools. This results in $821.8 million in funding for new or refurbished science laboratories and language learning centres to create state-of-the-art facilities in secondary schools across Australia.

I said Senator Fifield lacked snow. He lacked snow because his assessment—or, indeed, Senator Scott Ryan’s assessment—of which electorate got what, is not the relevant issue; the issue was our criteria: timeliness, disadvantage and need. We have met those criteria. Senator Fifield referred to the fact that the economy is doing very well. It is doing very well in Australia uniquely because we had an effective and timely response. (Time expired)

Senator PAYNE (New South Wales) (3.28 pm)—I think it is important to correct that slight misperception of Senator Jacinta Collins when talking about the economy doing well in Australia. Any independent commentator or independent observer knows that the strength of the economy lies in the foundation that was laid down by the previous Treasurer, Peter Costello, and Prime Minister of Australia, John Howard, over in excess of a decade of strong, effective, capable, competent political and economic management and experience, which is sadly lacking in this nation currently. I am also slightly struck by the irony of Senator Collins utilising the term ‘crass political overlay’, but let me not go there.

This afternoon I asked Senator Arbib a question in relation to the potential for increases in childcare costs as a result of the government’s so-called reform program in childcare. The basis of the question, a perfectly reasonable one, stems from the fact
that the much vaunted childcare policy of those opposite that was forced down the throats of Australian parents for months and months in advance of the 2007 federal election—discussions I had the opportunity to enjoy on Friday afternoons with Senator Wong during the campaign on ABC radio about the radical plan to slash childcare costs—is proving to be, unsurprisingly, entirely unfounded. Not surprisingly, we look like we are about to have another broken promise from this government, this time in relation to child care. This time there will be more costs on Australian families, more impost on their already struggling family budgets in the current economic environment.

We have been asking for some time now—I have had the opportunity to pursue it myself with officers in estimates in this portfolio area—how the government was actually planning to achieve its reform plans without increasing costs. When you institute a series of reviews and a series of proposals to reform a sector, those participants in the sector—parents in particular, who have to bear the costs—are entitled to ask how those reforms are intended to be implemented without increasing costs. In relation to the minister’s response to me and interjections from those opposite at the time, it is no answer to say, ‘We have made a promise in relation to the childcare tax rebate.’ That is not an answer to the question, because, no matter what you do in relation to the childcare tax rebate, parents will still have to pay increases if fees go up. The commitment was to slash parents’ childcare costs. We were told it was very simple and that it was very plain. That was the commitment: to slash childcare costs.

How can that be the case if parents are going to expected to pay for just some of the reform program? Let me cite a number of those examples: the potential for increasing staff ratios in childcare centres, the proposal to ensure higher staff qualifications and the proposal to insist on higher standards in centres. How is it possible to pursue that reform program without increasing the costs that parents will face? I think Australian parents, those with children in childcare centres, are entitled to ask that question. In this place, it is on their behalf that members of the opposition put that question, quite reasonably, to the Minister representing the Minister for Early Childhood Education, Childcare and Youth here this afternoon.

We also have, as I cited in my question to the minister, an independent economic analysis prepared on behalf of Childcare Queensland, which indicates in the independent modelling that the potential annual increase for a parent who has just one child in care could exceed $3,000 a year. That is not an insignificant amount. Any parent facing that sort of cost, that sort of challenge, would be asking themselves how they are going to pay for that. What we are asking—reasonably, I think, and fairly simply—is how the government expects families struggling in the current environment to meet a price increase like that and how the government expects childcare centres, in the face of some pretty indicting material in this piece of research, to deal with these challenges as well. There is a startling lack of information available to the opposition and most importantly available to parents, who have every right to ask how they are meant to respond to these propositions. They should have been more adequately consulted.

Question agreed to.

PETITIONS

The Clerk—A petition has been lodged for presentation as follows:

Colac District

To the Honourable President and members of the Senate in Parliament assembled:

The petition of the undersigned shows:
That the Colac district is in need of an additional pharmacy to service the needs of the community. Your petitioners ask/request that the Senate:

Immediately call upon the Government to facilitate an additional licence to dispense medicine in Colac without further delay to improve competition, accessibility and choice for the members of the community.

by Senator Ronaldson (from 4,479 citizens)

Petition received.

NOTICES

Withdrawal

Senator WORTLEY (South Australia) (3.34 pm)—Following the receipt of correspondence and a briefing from a departmental official, on behalf of the Senate Standing Committee on Regulations and Ordinances, I give notice that on the next day of sitting I shall withdraw business of the Senate notice of motion No. 1 standing in my name for two sitting days after today for the disallowance of the Aviation Transport Security Amendment Regulations 2009 (No. 1). I seek leave to table the committee’s correspondence concerning this instrument.

Leave granted.

Presentation

Senator Cormann to move on the next day of sitting:

That the Select Committee on Fuel and Energy be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 10 September 2009.

Senator Crossin to move on the next day of sitting:

That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on annual reports tabled by 30 April 2009 be extended to 15 September 2009.

Senator O’Brien to move on the next day of sitting:

That the following matter be referred to the Economics References Committee for inquiry and report by 25 November 2009:

The current circumstances of the dairy industry in Tasmania, including:

(a) the economic effect on the Tasmanian dairy industry of announced reductions in prices to be paid to producers by milk processors;

(b) the impact of the concentration of ownership of milk processing facilities on milk market conditions in the dairy industry;

(c) whether aspects of the trade practices law are in need of review having regard to market conditions and industry sector concentration in this industry; and

(d) any other related matters.

Senator Ludlam to move on 17 September 2009:

That the Senate—

(a) notes that:

(i) more than 2,000 nuclear weapons tests have been conducted between 1945 and 2009,

(ii) the Comprehensive Nuclear-Test-Ban Treaty (CTBT) bans all nuclear test explosions in all environments, for military or civilian purposes,

(iii) the sixth Article XIV (Entry Into Force) conference (the conference) of the CTBT will be held on 24 September and 25 September 2009,

(iv) for more than half a century countless scientific experts, political leaders and community organisations have pursued the goal of a more secure world free of the dangers of nuclear weapons test explosions,

(v) the CTBT is important to all states because it stigmatises nuclear testing, halts the qualitative and quantitative nuclear arms race and the development of increasingly more destructive weapons, and protects human health and the global environment from the devastat-
ing effects of nuclear weapons production and testing, and

(vi) nine states required for the entry into force of the treaty have not yet ratified the treaty; and

(b) calls on the Government to:

(i) renew and sustain dialogue with those nine states that have not ratified the CTBT urging them to do so without delay, most notably those states possessing nuclear weapons, the United States of America, the People’s Republic of China, India, Pakistan, Israel and the Democratic People’s Republic of Korea,

(ii) call on all states possessing nuclear weapons to refrain from research and development efforts that could lead to new warheads and the possibility of the resumption of nuclear testing,

(iii) participate in the conference at the highest level, and

(iv) continue to participate and support the development of the CTBT verification regime, including the international monitoring system.

Senator Barnett to move on the next day of sitting:

That the following matters be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report:

(a) consideration of waste and mismanagement within the Federal Government’s Primary Schools for the 21st Century program, with particular reference to:

(i) schools being forced to use non-local contractors at the instruction of state government departments and the role of state governments generally,

(ii) inflated ‘project management’ charges diverting funds from reaching schools and contractors inflating prices for certain projects,

(iii) timing and budget concerns including possible funding bias,

(iv) mass-produced ‘demountables’ being delivered to schools, rather than the promised ‘iconic’ buildings,

(v) schools being compelled to accept certain projects for fear of losing funding,

(vi) the extent of duplication of existing facilities,

(vii) school signs and plaques, and

(viii) other examples;

(b) consideration of possible measures to reduce or eliminate this waste and mismanagement, and ensure value for money for the remaining life of this program, and future school infrastructure programs; and

(c) other related matters.

Senator Marshall to move on the next day of sitting:

That the following matter be referred to the Education, Employment and Workplace Relations References Committee for inquiry and report:

The implementation of the Primary Schools for the 21st Century program

Senator Faulkner to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend legislation relating to military justice, and for related purposes. Military Justice (Interim Measures) Bill (No. 1) 2009.

Senator Faulkner to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act relating to military justice, and for related purposes. Military Justice (Interim Measures) Bill (No. 2) 2009.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (3.34 pm)—I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Military Justice (Interim Measures) Bill (No. 1) 2009, and the
I also table a statement of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

Purpose of the bills
The purpose of these bills is to urgently reinstate the Military Justice system which existed prior to the introduction of the Defence Legislation Amendment Act 2006 which established the Australian Military Court. On the 26 August 2009, the High Court unanimously held the provisions of the Defence Force Discipline Act 1982 establishing the Australian Military Court were invalid.

Reasons for Urgency
Following the High Court’s decision in Lane v Morrison, which invalidated the Australian Military Court, the Australian Defence Force is currently working with a modified justice system. It is therefore urgent that an interim military justice system be re-established as soon as possible.

COMMITTEES
Economics References Committee
Meeting
Senator PARRY (Tasmania) (3.36 pm)—by leave—At the request of the chair of the Economics References Committee, Senator Eggleston, I move:

That the Economics References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 9 September 2009, from 3 pm.

Question agreed to.

NOTICES
Postponement

The following item of business was postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Milne for today, proposing the disallowance of the Energy Efficiency Opportunities Amendment Regulations 2009 (No. 1), postponed till 9 September 2009.

COMMITTEES
Economics References Committee
Reference
Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (3.36 pm)—I seek leave to amend business of the Senate notice of motion No. 3 proposing a reference to the Economics References Committee on the economic stimulus initiatives.

Leave granted.

Senator BOB BROWN—I amend the motion in the terms circulated in the chamber and also by adding the words ‘or after’ after the word ‘on’ in section 2(a) so that that will read ‘on or after the morning of Monday, 14 September 2009’. I move the motion as amended:

(1) That the following matter be referred to the Economics References Committee for inquiry and report by 2 October 2009:

The economic stimulus initiatives announced by the Government since October 2008.

(2) That the Senate requests the committee:

(a) to invite the Secretary of the Treasury, accompanied by any other officials he considers appropriate, to appear before the committee, on or after the morning of Monday, 14 September 2009, for the purpose of giving evidence on the matter;

(b) to invite the Reserve Bank Governor, Mr Glenn Stevens, and other independent pre-eminent economists to appear before the committee, on a date to be determined by the committee, for the purpose of giving evidence on the matter; and

(c) to hold public meetings to take evidence from those witnesses, in the form...
of a full update on the economic stimulus initiatives, which addresses:

(i) the efficacy of the spending measures to date,
(ii) the anticipated costs and benefits of continuing the spending measures,
(iii) consequent change in the stimulus ‘roll out’ that ought to be entertained given the changed economic circumstances,
(iv) anticipated impact of the stimulus spending on future interest rate movements and taxpayer liabilities,
(v) an evaluation of the environmental impacts of the spending to date, and
(vi) other related matters.

Question agreed to.

Finance and Public Administration Legislation Committee Extension of Time

Senator O’BRIEN (Tasmania) (3.38 pm)—At the request of Senator Polley, I move:

That the time for the presentation of the report of the Finance and Public Administration Legislation Committee on the Parliamentary Superannuation Amendment (Removal of Excessive Super) Bill 2009 be extended to 17 September 2009.

Question agreed to.

Public Accounts and Audit Committee Meeting

Senator O’BRIEN (Tasmania) (3.38 pm)—At the request of Senator Lundy, I move:

That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sitting of the Senate, from 11.15 am to 1.30 pm:

(a) on Wednesday, 9 September 2009, to take evidence for the committee’s inquiry into the role of the Auditor-General in monitoring compliance with the ‘Guidelines on Campaign Advertising’; and

(b) on Wednesday, 16 September 2009, to take evidence for the committee’s inquiry into the review of the Auditor-General Act 1997.

Question agreed to.

Finance and Public Administration References Committee Extension of Time

Senator PARRY (Tasmania) (3.38 pm)—At the request of Senator Bernardi, I move:

That the time for the presentation of the report of the Finance and Public Administration References Committee on the relationship between the Central Land Council and Centrecorp Aboriginal Investment Corporation Pty Ltd be extended to 26 November 2009.

Question agreed to.

NATIONAL THREATENED SPECIES DAY

Senator SIEWERT (Western Australia) (3.39 pm)—I move:

That the Senate—

(a) notes that Monday, 7 September 2009 is National Threatened Species Day;
(b) acknowledges the significance of the date which is the anniversary of the death of the last known thylacine (Tasmanian tiger) in captivity in 1936 at Hobart’s Beaumaris Zoo;
(c) expresses:

(i) concern at the continuing decline of Australia’s biodiversity and the increasing levels of threat and endangerment faced by Australia’s endemic species, with 125 endemic species now listed as critically endangered, and
(ii) alarm at accelerating levels of species threat in northern Australia, as noted by a meeting of wildlife experts in Darwin in February 2009 that reported on a ‘new and potentially catastrophic wave of mammalian extinctions’;
(d) notes that Australia leads the world in mammalian extinctions, with 40 species lost over the past 200 years; and
(e) calls on the Government to increase fund-
ing for the listing and protection of threat-
ened species, habitats and communities and the preparation and implementation of management plans.

Senator LUDWIG (Queensland—Special Minister of State and Cabinet Secretary) (3.39 pm)—by leave—The government does not support this motion. Given the need to balance the range of demands on funding across all portfolios, the government believes that the funding available for the listing and protection of threatened species, habitats and communities and for the preparation and implementation of management plans is appro-
piate.

Question put.
The Senate divided. [3.44 pm]
(The Deputy President—Senator the Hon. AB Ferguson)

Ayes…………….. 6
Noes…………….. 39
Majority……….. 33

AYES

Brown, B.J. Ludlam, S. Siewert, R. *  Hanson-Young, S.C.

NOES


* denotes teller

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Senator HANSON-YOUNG (South Australia) (3.46 pm)—I move:

That the Senate—

(a) notes that:

(i) 8 September is United Nations Interna-
tional Literacy Day,

(ii) literacy is integral to individual em-
powerment, civic and social develop-
ment and global peace and harmony, and

(iii) in the international literacy decade, much work is still needed to realise the goal of increasing global literacy rates by 50 per cent by 2015;

(b) recognises that:

(i) one in five adults worldwide are not literate and two-thirds of these are women,

(ii) 75 million children are not enrolled in school, and

(iii) in Australia, there is an enormous gap in the English literacy rates of Indige-
nous and non-Indigenous people; and

(c) calls on the Government to continue to work with the United Nations in pursuit of its goal to increase literacy across the globe and in Indigenous communities throughout Australia.

Question agreed to.

EQUAL PAY FOR WOMEN

Senator HANSON-YOUNG (South Australia) (3.47 pm)—I move:

That the Senate—

(a) notes that:

(i) 1 September 2009 marked Equal Pay Day, almost 40 years after women for-
mally achieved the right to equal pay, and
(ii) women have to work more than 2 months more to earn the same as men in an ordinary year;
(b) recognises that:
(i) women working full-time in Australia continue to earn, on average, approximately 17 per cent less than men, and
(ii) not only do women earn less than men on average, they can expect on average half the superannuation of men in retirement; and
(c) calls on the Rudd Government to work towards the abolition of unequal pay, through a genuine commitment to the true valuing of women’s work and creating real choices and opportunities for women in the workplace.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

New South Wales Labor Government

The DEPUTY PRESIDENT—I have received a letter from Senator Fierravanti-Wells proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

The need for the Federal Government to intervene by way of wasteful spending to compensate for the policy failures of the New South Wales Labor Government.

I call upon those senators who approve of the proposed discussion to rise in their places.

More than the number of senators required by the standing orders having risen in their places—

The DEPUTY PRESIDENT—I understand that informal arrangements have been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator FIERRAVANTI-WELLS (New South Wales) (3.48 pm)—I would like to begin by sharing with the chamber a cartoon by Moir in today’s Sydney Morning Herald. It is very illuminating. The New South Wales ALP is represented by a caricature of Premier Rees, who says, ‘Hey Kev! ... Remember me?! Your Sydney cousin ... Remember?’ A hastily moving Prime Minister is ducking into the back seat of a Commonwealth car, while saying to the chauffeur, ‘Step on it!’ Federal Labor is running a mile from their cousins in New South Wales Labor.

Recently, there was a motion of no confidence in the New South Wales parliament—why wouldn’t there be, given the soap opera that has now become the New South Wales government? The New South Wales government is kept on its feet by the New South Wales Labor Right. In his speech on that motion, the Leader of the Opposition articulated the litany of scandals and the broken promises that have been presided over by the New South Wales government. In New South Wales, we are seeing spectacle after spectacle of this government on a daily basis. Quite frankly, it is about time that New South Wales Labor put everybody in that state out of their misery and that we go to an election to enable the electors of New South Wales to change government.

State Labor in New South Wales is a catastrophe. It is so bad that it has become a gross embarrassment. It is tragic for the people of New South Wales and the people we represent in what has now become a failed state. Voters are naturally very upset about it. Of course, Kevin Rudd tries to distance himself from the New South Wales Labor Party but the Labor Party in New South Wales is the very well-organised machine which made him Prime Minister. Let us not forget that the Prime Minister is supported by the same right-wing faction in New South Wales Labor that runs the state. Minister Arbib is one of the key figures in it. Therefore, the group who is responsible for the catastrophe that is
the Labor government, the train wreck, in New South Wales is the same group that put Kevin Rudd into the leadership—

The DEPUTY PRESIDENT—Order! Senator Fierravanti-Wells, you must refer to the Prime Minister by his proper name.

Senator FIERRAVANTI-WELLS—I apologise, Mr Deputy President—that put Prime Minister Rudd into the leadership and that is his key supporter base.

As I said, it is important to remember what this well-oiled, disciplined machine is. They put Nathan Rees in, they put Bob Carr in and they have been running New South Wales for years and mismanaging it shockingly. Look at New South Wales today and you will see what this country will become after this Labor government has finished with it. An incompetent, mismanaged, corrupt Labor Party machine that has catastrophically failed in New South Wales for more than a decade will now go and do the same thing at a federal level.

Look at the toxicity of what we have now become. Labor’s failures in New South Wales are the most spectacular but Labor failures are all around the country. The so-called stimulus package was the classic example. The schools program was the most spectacular example of classic Labor Party spin and politics. They said that they wanted to put a lot of money into the economy and give support to the construction industry and tradies. Yet we know that what is actually happening is that schools are having the Julia Gillard memorial assembly halls foisted upon them, whether they want it or not. We know that the neediest schools are missing out and we know that local tradesmen and women are not getting the jobs. They are going to the large firms chosen by the state Labor governments.

When we were in power and the coalition had the vision of re-plumbing rural Australia so that we could produce more food and fibre with less water, there was an opportunity to put money back to do all this work. Of course it would have created jobs. It would have created jobs in regional New South Wales. But that would not have afforded the Labor Party the ribbon-cutting opportunities. Senator Heffernan would very much agree with this, given his keen interest in rural New South Wales. They chose not to do it because with school halls it has really become all about politics.

The most cynical result of this is that these signs that have been forced on schools—that they have to put up and keep there until after the election—will, funnily enough, be there on polling day. This will be the so-called gentle reminder that people should vote Labor back into power. As we know, the Australian Electoral Commission has said that this is a breach of the electoral provisions, so now we are going to spend millions of more dollars to put little signs at the bottom to rectify what was clearly—and, I have to say, I think intentionally—done. But time will tell whether that was in fact the case.

When the coalition was in power we had a very successful Investing in Our Schools program where we went to the school communities and we said, ‘Okay, what is it that you most want? What is it that you actually need?’ That is not like this government, which has told them that they are going to have their Julia Gillard memorial hall. We actually asked schools what they needed the most and met those needs. I am sorry that Senator Arbib is not here because I wanted to tell him that on one occasion when I was attending with a minister from New South Wales—and I will not mention the minister’s name—she said, ‘Thank goodness for the federal government’s Investing in Our Schools program because we could not fund the inadequate facilities that we have in schools.’ For example, in the Illawarra,
where my electorate office is, there are some schools that have been there for more than 50 years and are asking the state government in New South Wales to rectify their toilets and the government has not done it. Instead of getting their toilets fixed, which is so important, they are going to get the Julia Gillard memorial hall whether they like it or not.

In the end, we are borrowing all this money and we are going into debt. This debt that we are incurring is being spent and not properly targeted. Every dollar and every cent of that $350 billion—and the rest, because we are kidding ourselves if we honestly think that Labor is going to stop at $350 billion—that we are borrowing will have to be repaid. It will have to be repaid by the taxpayers of Australia. This is short-term gain—which has been spun very effectively—for long-term pain. I say to those of you sitting in the gallery that you may or may not have got moneys now but you will certainly be paying for it. And to those listening to this broadcast: get ready, because you are going to be paying for many years to come.

When we do look at New South Wales, it was once the driving force of the Australian economy—

Senator Hutchins—It still is.

Senator FIERRAVANTI-WELLS—Yes, Senator Hutchins, it is desperately lagging behind other states. The latest national accounts figures released by the Australian Bureau of Statistics show that New South Wales experienced only a five per cent growth in state final demand from the March to June quarter. New South Wales experienced lower growth than even the Victorian economy, which grew by three per cent. In further embarrassment to the New South Wales economy we find that it is also growing at a slower rate than the Tasmanian, Western Australian and South Australian economies.

As a result of the reckless mismanagement of the New South Wales economy, now federal Labor has been forced to intervene in what can only be described as the politically motivated spending spree. Every day we are seeing more and more examples of how Labor’s reckless and politically motivated spending is totally and utterly out of control. In turn, this will put pressure on interest rates and result in higher taxes.

Let us look at the $550 million in so-called community infrastructure grants. Earlier, in question time, we heard Senator Arbib fluffing and carrying on and not answering the question about this program because what is actually happening here is that the federal Labor government is coming in and helping New South Wales Labor by assisting predominantly Labor electorates. One only has to look at the article in today’s Financial Review which looks at infrastructure spending and asks where the $550 million of community infrastructure grants have gone. Interestingly enough, grants have gone to the federal seat of Robertson. We won’t go there! Robertson has become very famous, or infamous, as a consequence of the antics of its local member. Then there is Bennelong, another marginal Labor seat.

Government senators interjecting—

Senator FIERRAVANTI-WELLS—Senator Ludwig, as the patron senator for Bennelong, I keep a very close eye on what happens in that seat.

Let us look at the government’s $200 million on campaign advertising despite pledges, when in opposition, to slash federal spending on advertising. There was a story today in the Australian. And, as I mentioned, let us look at the blatant and shameless political spending on school signs, which has been exposed by the Australian Electoral
Commission as politically motivated. You are not even being subtle with the signage at the schools. In the Investing in Our Schools Program, we had little plaques put in discreet places at the school. But you have to have the big sign right in front of the school, right near the entrance to the school and right near the entrance to the polling booth. If that is what you think it is going to take at the next election for people to vote Labor and if you already feel desperate enough to have to put those signs up in schools, then maybe you have a problem.

You are pursuing this political strategy. You are borrowing more and more money to spend more and more money in marginal seats, thereby imposing an absolutely huge debt burden not only on this generation but on future generations. As I said, the real concern is that this reckless spending is going to result in higher taxes and higher interest rates.

In conclusion, I will say this in relation to New South Wales: what was once the premier state in this country has now been reduced to a soap opera. Every day we have been seeing the incompetence of Labor in New South Wales, but now we are going to see the spectacle of federal Labor—those very people who were in Sussex Street when New South Wales was sent to rack and ruin and who are now sitting here—going to bail them out.

Senator CAMERON (New South Wales) (4.03 pm)—Listening to Senator Fierravanti-Wells reminds me—

Senator Fierravanti-Wells—So now you can pronounce my name properly?

Senator CAMERON—So you understand me okay? Senator Fierravanti-Wells reminds me of a book that was very popular some years ago: *Men are from Mars, Women are from Venus*. I do not know what planet you are on, but you are not on a planet that is anywhere near the reality of this planet. You are not on a planet that is anywhere near dealing with the needs of the Australian community.

What that speech demonstrated and encapsulated is the incompetence of the coalition. Here we are in a global economic crisis, and what do we have a New South Wales senator come and talk about? She talks about signage at schools in New South Wales—that is the level. That is the competence, or should I say incompetence, of Senator Fierravanti-Wells in her understanding of the economic challenges.

That speech was all about a diversion. It was a diversion from the trials and tribulations of the Leader of the Opposition, Malcolm Turnbull. That is what it was about. It was about trying to look elsewhere—anywhere other than at the working of the federal government and the needs of the community of Australia—in order to try and hide the incapacity and incompetence of the Leader of the Opposition. It was a diversion from the lack of policy that the opposition display day in, day out in the Senate. It was a diversion from the lack of leadership—no leadership on any of the big issues facing the Australian public. There was no leadership for a decade and we still do not get leadership from the opposition. It was a diversion from the splits and the disunity in the coalition.

You really do not have any capacity to come here and criticise a government that recognises the issues, takes on the challenges and deals with the problems that this community is facing in a decisive and effective way. So we get these diversions and these meanderings and this nonsense from Senator Fierravanti-Wells in her contribution. This really is a diversion from the coalition’s inability to understand the economic challenges facing Australia arising from the
deepest recession since the Great Depression. Why don’t we hear the coalition talk about the international economy, about the challenges facing every government around the world? I will tell you why we do not hear about it: because the coalition is a rabble. The coalition does not have any policies. The coalition has a weak and incapable leader. The Nationals are fighting with the Liberals. The Liberals do not like the Nationals. That is what we are faced with. The public look aghast at the lack of performance from the coalition. Senator Fierravanti-Wells encapsulated the incompetence, the lack of vision, the lack of economic understanding that the coalition perpetrates in the Senate and in the House of Representatives.

What we have here is a coalition that are bitter. The coalition cannot accept that the Australian public had enough of them. The coalition are dispirited. They are squabbling with each other, fighting with each other—no vision, no plan, no strategy ever to lead this country. They are a coalition that are isolated from reality, never talking about the real issues that are affecting Australian working families and Australian communities. So the diversions flow continually. The diversions are there because you have no alternatives—no alternative leader, no alternative policies and no alternative to a decisive, effective Labor government. That is the problem that we face with the coalition in this country.

I want to go back to what I said earlier. When the coalition were in government we had a decade of lost opportunities. The money was flowing into the economy because of our terms of trade and our mineral exports. The terms of trade had never been better. It was like a government winning the biggest lotto in the world. And yet what did you do with it? You did nothing, absolutely nothing. You absolutely failed to build for the future. You absolutely failed in a range of the key economic issues that build the economy, and you left this economy ill-prepared for the biggest economic recession since the Great Depression. That decade of failure was a failure of investment. Less than two-thirds of profits ever went back into investment to provide the machinery, to provide the technology for new jobs in this country. That was your failure, a failure of investment.

It was a failure of innovation. We hear much about innovation and research and development, but where were we in the decade under the Howard government? The fourth-bottom of the OECD. That is where we were in terms of investment in research and development and innovation—1.7 per cent of GDP in research and development, the fourth-bottom of the OECD. Productivity, despite this Work Choices, despite Senator Minchin going to the HR Nicholls Society, prostrating himself and saying, ‘I’m sorry we didn’t do more; I’m sorry we didn’t take more workers’ rights away—we’ll do better next time. I really apologise to the HR Nicholls Society,’ productivity was below par in the OECD.

It was a failure of development: elaborately transformed manufactured exports declined under the Howard government. Don’t come here talking about economic credentials and bad economic decisions. It was a decade of incompetence from the Howard government. It was a failure in competitiveness: we were less competitive under the Howard government. It was a failure of balance: $30 billion went from wages to profits under the Howard government. Infrastructure development declined from six per cent of GDP to 3.9 per cent of GDP.

And the coalition failed on sustainability, the biggest challenge facing governments around the world. On dealing with global warming, dealing with climate change, they were a complete failure. The coalition con-
tinue to be a failure on climate change policy. At each others throats, divided, the deniers there do not want to do anything about global warming. They are an absolute rabble.

And that is just the decade of the Howard government. No wonder the Australian public had enough of you. No wonder the Australian public said, ‘We want better than this; we want a government that will take the decisions to take this country forward into the future.’ And that is what they got. When they elected the Rudd government the public got a government that was prepared to deal with the challenges of the global economic crisis, challenges that laid out a decline of $210 billion in taxation receipts; nine out of 10 of our trading partners in recession; the world economy contracting by 1½ per cent; advanced economies contracting by 3⅓ per cent; unemployment around the world going up, to 10 per cent in some states of the USA; wealth destroyed around the world; confidence down around the world—and yet what do we get from Senator Fierravanti-Wells? ‘We don’t like the signs on the schools.’ I think the Australian public deserve better from the coalition. The sooner you change your leader, the sooner you have a leader who can actually provide some leadership, who can provide some direction for you, the better—because being an uncoordinated rabble without the capacity to develop policy leads to speeches like that of Senator Fierravanti-Wells, where you do not deal with the real issues, where you do not deal with communities facing the global economic crisis.

This is the problem; a dispirited, ineffectual, incompetent coalition. An example just wandered past me right now. This is the problem that we have, leaving this country ill-prepared for the global economic crisis. But the Labor government moved quickly and we moved decisively. What we have done is to stimulate demand to keep more than 210,000 Australians in work. What do we hear from the coalition, out there on Planet Zog somewhere, arguing about who is going to be the next leader? That is the biggest debate in the coalition: who is going to be the next leader.

Yet the ACCI came out and said basically do not withdraw the economic stimulus, that any sudden withdrawal of the stimulus would have a negative effect on the economy. The coalition do not hear this. You do not even listen to your former allies. You do not listen to business, you do not listen to the trade union movement, you do not listen to the Australian community. All you do is fight amongst yourselves, squabble and bicker. You cannot find a seat for Senator Joyce in the House of Representatives. He wants to go there. You want to fight about that. You want to fight about neo-liberalism. You want to defend neo-liberalism. You want to let the market rip, not worry about what it does to communities. Let us not learn the lessons of the global financial crisis; just let neo-liberalism rip. Do not let the government intervene in the interests of the economy. That is ready the basis of the problems with the coalition. They are a dispirited, disunited rabble with no policies, no leader, absolutely incompetent and not available to be an alternative government for this country.

What have the Labor Party done? We have looked after pensioners. We have put economic stimulus in place. We have looked at infrastructure. We will build the rail system of the future. We will build the road system of the future. We will build the schools of the future, the universities of the future, the things that a coalition government should have done during your 10 years of incompetence and inaction.

What did you say when we were facing the global financial crisis? ‘Let us wait and
see what happens.’ Yet the IMF, the OECD, the Treasury, every economist of any standing was saying now is the time for government to intervene, to make sure that unemployment does not go through the roof, so that a depression does not come on, so that working families are not destroyed because of inaction of government. What did we get from the coalition? We got carping, inane criticism that has no resonance in the community. That is why the coalition will be a coalition in opposition for years to come, because you do not have any answers for the Australian public. You do not have a vision for the Australian public. You do not have any heart and you do not have any mind to deal with the problems and challenges that Australia faces. The Rudd government have delivered, the Rudd government will still deliver. We are not out of the woods yet. We have problems and we will deal with them.

(Time expired)

Senator WILLIAMS (New South Wales) (4.18 pm)—I must comment on one of Senator Cameron’s remarks, where he talked about an ‘effective Labor government’. To me that is an oxymoron. We are talking about the New South Wales government, the ‘premier state’. That was what its title was, has been and hopefully will be after March 2011. The situation in New South Wales is that 500 people a week pack up and move out of the state. I suppose Senator Cameron is proud of the way his colleagues are running the state of New South Wales.

Prior to the last election we had 50 federal seats in New South Wales and just 28 in Queensland. Of course, one was taken off us, the seat of Gwydir. We went down to 49, and Queensland went up to 29 because people are moving out. They would not have a bar of Labor and the way they were managing the state of New South Wales. What happens now? The move keeps on and New South Wales is about to go down to 48 seats, while Queensland goes up to 30. The Rees government—and those of his predecessors, Mr Iemma and Mr Carr—have had a policy to drive people out of the state. That is a fact and the AEC can confirm that.

Let us go back to the Labor Party and Bob Carr. He will halve our elective surgery lists. Have a look at them now. He will lead the greenest government the state has ever seen. They have become the blackest government because of the way they have locked up national parks, have not managed them, have let the fuel levels increase, after lightning strikes they burn, the fire kills the trees, kills the animals and they call it conservation. I call it destruction and we are seeing more and more of it. Now it is going to continue because we have the Labor government in Canberra combined with the Labor government in New South Wales buying places like Toorale Station and locking it up for national parks—90,000 hectares, 225,000 acres. That will be the next fireball we will see in a few years time and you call it conservation.

I want to have a look at the history of what we have seen in the last 14 years of Labor in New South Wales. I mentioned Mr Carr; he knew when to jump off the ship, didn’t he? Then along came Mr Iemma. He did not change anything at all. He had been the health minister. New South Wales has had four ministers in the health portfolio in the last four years. They are just getting removed, sacked or resigning for whatever reason.

That is the way you are running your health system. It all started with the outrageous super health boards that you introduced. For 100 years local volunteers could run our health system, could run our hospitals, and then along came Mr Genius and did away with them. Look at the mess they are in now. We have just seen a situation in Gilgandra and Coonabarabran where meat could...
not be supplied to the hospitals because the bills were not being paid by the New South Wales Labor government. Small business finally said: ‘Enough is enough. We’re not giving you any more credit.’ I suppose some over there are proud of that management. I would be disgusted with it.

Only a couple of weeks ago I had the privilege to be with the current—hang on; I have got that wrong; I should say past—health minister, Mr John Della Bosca, when he opened the hospitals at Bingara and Wari-alda. He was cosying up very closely with his Independent colleagues Mr Torbay and Mr Windsor. A great coalition they are; one supports the other. Mr Torbay got given the Speaker’s position as a way of saying, ‘Thanks for the way you attack the National Party at each election.’ You notice the Independent Mr Torbay never goes after the Labor Party. He only campaigns against the National Party. But that is to be expected because he was a member of the Labor Party till 1997. He was warden of the Student Union at the University of New England, so we know what colour his politics are.

So we were standing there, opening the hospitals, and there was not a mention of John Anderson, the former member for Gwydir, who guaranteed the money to see that those hospitals were built. The situation at Wari-alda prior to that, 10 years ago, was that there was going to be a nine-to-five hospital. You call that running the health system? This is the Labor Party in charge of rural health. It was a disgrace. There were no thankyous to those who actually got the money for it.

So let us move along and look at the management of New South Wales. We have seen people jump ship. Mr Iemma called the troops together and said, ‘Behave yourselves or you’re gone.’ They replied, ‘Sorry, you’re gone.’ And off went Mr Iemma. Off went Reba Meagher. The next thing was that Treasurer Costa pulled up stumps and did the bolt. We could go back through the history of them all. There is a list of them. Mr Orkopoulos is looking at striped sunlight for his activities. Look at Matt Brown; he was sacked. Look at Tony Stewart—dumped from his position. On and on it goes. And these are the Labor Party people, from Sussex Street, Sydney, who are running the state of New South Wales. No doubt this will flow on through to Canberra.

We have a situation here where you are going on a spending spree of $16 billion to build buildings in schools. Who is responsible for buildings in schools? It is the state government’s responsibility. What do we have here? We have the federal government propping up the states for their failure to deliver proper infrastructure in education right throughout Australia.

In the meantime, there is one sector that has been neglected terribly, and that is aged care. Aged-care facilities are actually a federal responsibility. There is a little place at Bundarra, 40 kilometres south of Inverell, called the Grace Munro Centre. In only a few weeks time that aged-care facility will close. That is the way you are looking after aged-care facilities. What money did you put into your stimulus package to look after aged care? The answer is not a cent. It is your responsibility to look after the elderly. The Medicare rebate for the removal of cataracts is to be cut down to $300. I think a veterinary surgeon charges $2,000 to $3,000 to remove a cataract from a dog, and you expect an eye specialist to remove a human cataract for $300. It is outrageous! But this is your care for the elderly.

You go and pour the money into schools to prop up your failing states, especially New South Wales, and neglect the very thing we must address first, and that is looking after...
our elderly. They are the very people who gave us this nation in the condition it is in now. They are the ones who fought in the wars, the ones who worked hard. And what are we doing? Closing their facilities. Recently 8,000 beds were issued and there were only 5,000 take-ups because the providers know very well that the money they get for aged-care nursing does not cover the cost of running the facilities. This is a big part of your negligence in the Labor Party: you will not look after our elderly.

I could go on and on, but I would just like to say that the Labor government in New South Wales are a disgrace. They have neglected the people of New South Wales, especially those in regional areas. No doubt everyone in New South Wales is looking at them and saying, ‘Bring on March 2011.’

Senator HUTCHINS (New South Wales) (4.27 pm)—It is indeed interesting to follow Senator Williams in this matters of public importance debate. I think his state member is currently an Independent. After the next election, probably his federal member will be an Independent. Senator Heffernan is next to speak. He is one of the champions of the Liberal Party. His state member is a National Party member and his federal member is a National Party member.

Senator Heffernan—My state member happens to be Adrian Piccoli.

Senator HUTCHINS—Yes, and he is National Party, isn’t he? That is the point I am making.

The ACTING DEPUTY PRESIDENT (Senator Barnett)—Order! Senator Hutchins, you will direct your comments through the chair.

Senator HUTCHINS—I will. After the next federal election, I think the National Party might be almost without representation in New South Wales, except for possibly in the Riverina, where Mr Heffernan, despite his best efforts, will still have a National Party—

We are confronting serious times. Indeed, a number of the speeches today have outlined some difficulties that governments are experiencing. But I want to commence my remarks by talking about an event that occurred in Sydney last Friday evening. The event was held at a restaurant called Le Montage. I think, in Leichhardt. Senator Faulkner may be able to help me here. We often hold Labor Party functions at that restaurant.

Senator Faulkner—Which one?

Senator HUTCHINS—Le Montage, in Leichhardt.

Senator Faulkner—The old Apia Club.

Senator HUTCHINS—Yes, the old Apia Club. It is not a bad venue for a reception. At a reception there last Friday night there was a guest speaker for a gathering of some of the most right-wing, extremist members of the New South Wales Liberal Party—people associated with David Clarke. I do not know whether Senator Heffernan was there or not. I asked whether Senator Fierravanti-Wells attended, but she did not. I am not sure if any other federal MPs were there.

Senator Cory Bernardi was the guest speaker for this 200-plus gathering of New South Wales Liberal Party extremists. I am not sure whether there was any sort of warm-up speech before Senator Bernardi made his contribution, but I understand that the occasion was to support the preselection of the extreme right wing candidate or one of the
candidates in the forthcoming Bradfield electorate by-election. When Senator Bernardi commenced his address, to the delight of the crowd, I understand, he said—and I have this from a person who I understand was at the dinner—

Senator Heffernan interjecting—

Senator HUTCHINS—Senator Heffernan may be able to correct me when he gets up to speak, because he may have been at the dinner. I am not sure whether Senator Heffernan is in the extreme right wing faction of the Liberal Party or one of the combatants, but it was definitely the David Clarke group in the New South Wales Liberal Party. This also highlights exactly what Senator Cameron was talking about earlier. This is, I understand, how Senator Bernardi commenced his remarks. He said: ‘I wandered into an Alcoholics Anonymous meeting thinking it was a Liberal Party meeting. I said, “My name is Cory Bernardi, and I haven’t had a left-wing thought for 27 years and no-one in the Labor Party has ever approached me to join it!”’ That apparently brought the house down.

Senator Brandis—Mr Acting Deputy President, I rise on a point of order. The MPI we are discussing is: The need for the Federal Government to intervene, by way of wasteful spending to compensate for the policy failures of the New South Wales Labor Government.

Even on a very liberal interpretation of relevance, I fail to see how what Senator Hutchins is saying—that is, what Senator Bernardi allegedly said to a private gathering at a restaurant in Sydney which Senator Hutchins asserts had to do with internal Liberal Party affairs—has anything whatsoever to do with the MPI, and I invite you to rule it irrelevant.

Senator Faulkner—Mr Acting Deputy President, on the point of order: I listened very carefully to Senator Brandis’s erudite point of order but unfortunately I believe that there is no point of order. It would have had a great deal more credibility if he had taken a similar point of order while Senator Williams was raging against the New South Wales Labor Party in his speech. You have got to be consistent in these things, just a bit of give and take. As I say, there would be a great deal more credibility about this point of order if other speakers in the debate had not strayed into these sorts of areas. From my own point of view, I am listening very closely to what Senator Hutchins is saying. I must say I am finding it extremely interesting—just as I found Senator Williams’s comments very interesting as well. So I am asking for consistency in rulings from the chair in this regard, and I look forward to your ruling, Mr Acting Deputy President.

Senator Ronaldson—Mr Acting Deputy President, on the point of order: that would of course be relevant for you to look at if indeed there had been a point of order taken during Senator Williams’s speech. But, as Senator Brandis quite rightly indicated, you have been asked to rule on the matters that have been referred to by Senator Hutchins—and, quite frankly, what Senator Williams said is old news.

The ACTING DEPUTY PRESIDENT (Senator Barnett)—I am willing to make a ruling. Prior to you standing to take a point of order, Senator Brandis, I was reading the wording of the matter of public importance, which does say, and I repeat it for the sake of the Senate: The need for the Federal Government to intervene, by way of wasteful spending to compensate for the policy failures of the New South Wales Labor Government.

I listened intently to Senator Williams and believe that his comments were in order. I draw Senator Hutchins’s attention to the mo-
tion. Matters of public importance are dealt with in a liberal manner, and I will continue with that convention for the time being, but I draw your attention to the fact that I will be listening intently to your comments, Senator Hutchins.

Senator HUTCHINS—Thank you, Mr Acting Deputy President. I appreciate your comments. I do want to go back to what I was saying, which was the alleged statement by Senator Bernardi which apparently brought the house down—that is, 200-plus extreme right wingers all gathered to basically ‘burn’ the Leader of the Opposition, Mr Malcolm Turnbull. That is what it was all about. You do not need to be a Rhodes scholar to work out that Senator Bernardi was referring to Mr Turnbull’s previous acquaintance with maybe the Left of politics, his previous desire to be a member of the Labor Party, his association with us—

Senator BRANDIS—Mr Acting Deputy President, I repeat my point of order on relevance. This is now a commentary on the prior political career or history of Mr Turnbull. It cannot possibly be even indirectly relevant to the topic.

The ACTING DEPUTY PRESIDENT—Senator Hutchins, I draw your attention to the wording of the matter of public importance and ask you to relate your comments in some way to that reference.

Senator HUTCHINS—I will get to the point in a moment, unless I am prevented from doing so by being interrupted. As I was saying, this was a light-hearted attack, at a gathering of 200 extremists of the Liberal Party in New South Wales, on their federal leader. He was never going to be a federal Labor leader, George!

The ACTING DEPUTY PRESIDENT—Order! You will refer to senators in this place by their correct titles. Senator Hutchins, you referred to Senator Brandis—

Senator HUTCHINS—Sorry, Senator Brandis.

Senator FAULKNER—It could have been any ‘George’!

The ACTING DEPUTY PRESIDENT—Please refer to Senator Brandis in the correct manner.

Senator HUTCHINS—I will. Senator Brandis, he never was going to end up being our leader, I can tell you. As Senator Cameron said—without interruption—this demonstrates again the lack of policy, the lack of direction and the lack of leadership of the coalition currently. We have seen the twists and turns they have done over the last 12 months. They are finding it very difficult to be an opposition. As I said, you only have to look at their twists and turns.

I want to go further with what Senator Bernardi said at this gathering of extremists: ‘The Liberal Party will ultimately rediscover the success it seeks through a return to the Menzies inspiration, while remaining mindful of the difference between short-term public opinion and long-term public interest.’ That is what he said in his address to that dinner in inner Western Sydney.

One of the things that has interested me and a number of my colleagues in politics has been the degree to which the coalition has opposed our stimulus package. I think you can pretty much divide non-coalition and coalition supporters on the basis of their approaches to the stimulus package. I can only put it down to one thing: for almost half a century, we in this country—with a variety of governments in power—have enjoyed prosperity and safety. We have not had the political unrest or turmoil that has occurred in Third World countries or in less-developed countries. We have not had the mass insecurity; we have not had the political and social traumas. Our generation never went through those. The coalition is at one with Gordon
Gekko: greed is good. That is where they are coming from. This generation—of which I, you, Mr Deputy President, and almost everybody in this room is a member—has never known that insecurity or that lack of prosperity.

I want to go back to what Senator Bernardi said. He harked back to the Menzies era. I would like to talk about some of the achievements of the Menzies government: what it did, what it introduced and why that occurred. That occurred because the men and women of that generation understood exactly what it was for people to be on dole queues and to face starvation, civil unrest, turmoil, suicides, homelessness and the collapse of the economy. They saw it in their lifetime; they saw it from 1929 until World War II commenced. Consensus between the parties, labour and non-labour, was established in this country and almost half a century earlier on the continent in Europe.

I am in the presence of an esteemed Labor historian, Senator Faulkner, so I hope I am not taken to any tribunal for lauding some of the achievements of the Menzies government! Let me tell you what the Menzies government did and remind Senator Bernardi, who, had he reminded the extremists in Leichhardt on Friday night, might have been hanged by them. Let me tell you about the expansion of the Menzies government into education, not only into universities and science labs but also into funding non-government schools. Let me tell you about the maintenance of the Snowy Mountains scheme and the millions of pounds—at that stage—that would have been poured into the construction of that mighty scheme initiated by Labor. It was the Menzies government that created at the CSIRO; it was the Menzies government that expanded the government’s role in social services; it was the Menzies government that expanded the Australian Broadcasting Corporation; it was the Menzies government that expanded pharmaceutical and pensioner medical services; it was the Menzies government that believed in the compulsory conciliation and arbitration system; and it was the Menzies government that expanded significantly the role of the federal government in the provision of services in this country. So I wonder whether Senator Bernardi’s right-wing extremist mates on Friday night knew exactly how much the Menzies government did by consensus to expand the role of government in developing what the Australian economy needed at that time. Did Senator Bernardi’s mates know?

We might call this a stimulus package from 1949 onwards. We might have to call it that, because the government at that time knew exactly what they were confronted with: they were confronted with the images that they had seen for themselves in the Great Depression. A number of them would have seen for themselves the depressions that occurred from the beginning of the 20th century. They were never going to see those things happen again while they could do something about it, and that is equally so where the Rudd government is concerned. We are not going to see dole queues and we are not going to see the unrest or the turmoil that has occurred as a result of the inaction of governments when action is required. This government has decided to intervene because we are not going to forget like the coalition has forgotten. We cannot forget those periods in our own past; we cannot forget that these things occurred, and they are never going to occur again. That is what I cannot understand when people invoke the name of Menzies—they do not necessarily understand the complete contribution by that government in the expansion of the federal role in the provision of services in this country.

I do not think that goes down well with the coalition side, because they do not know
their history. Again—and this is one of the terrible things that has been occurring—people have forgotten the past; they have forgotten that turbulence. They have indeed forgotten it, but we have not forgotten it. We know exactly what would happen. We know that our unemployment rate is not anything like what it is in the United States or Britain or continental Europe. We know that we have got people at work. We know that retail sales are going up. We know that, if the coalition did get away with it and was able to block our stimulus package, we would be heading towards 10 per cent unemployment at the moment. We know all these things. Indeed, we have been approved by international bodies. Let me tell you what the IMF said when it welcomed the design and implementation of our stimulus package:

We welcome the quick implementation of targeted and temporary fiscal stimulus. The stimulus provides a sizable boost to domestic demand in 2009 and 2010 that will cushion the impact of global recession.

Well, isn’t that marvellous! That is great if you are one of those people who is actually at work because of the government’s intervention in the economy. It further says:

... the Government’s commitment to return to surpluses and achieve a positive budget balance on average over the medium-term is commendable ... few other advanced economies have adopted such a clear commitment.

That is what we are doing. That is what we have decided to do.

We have been opposed every step of the way by this coalition. They have sat on their hands and they have come up with no alternative policy in this regard. If we had their strategy we believe that there would be an additional 210,000 Australians out of work today. We could not let that happen because we are not going to forget that period from 1929 onwards when there was hopelessness and turmoil. It is not in our make-up and we will ensure that this stimulus package is continued so that men and women in this country are protected from the worst excesses of the global recession.

Senator HEFFERNAN (New South Wales) (4.45 pm)—One of the great tests in public life, I think the most important, is not to get trapped by other people’s trappings and not to have a price. I have to say that I do not have a price and I do not like crooks. I notice that the terms for this matter of public importance are:

The need for the Federal Government to intervene by way of wasteful spending to compensate for the policy failures of the New South Wales Labor Government.

I notice that the Labor Party have not actually mentioned New South Wales because it is a constitutional flaw that you cannot get rid of a government that has completely failed and lost its intellectual base. I have to say that there are probably six or eight people in New South Wales parliament, in government, who should be in jail.

Let me give you an instance of the waste by the Commonwealth that is occurring. I have spoken to the government about some of these issues. There is a school in Sydney that is getting a seven core library, costing the Commonwealth $727,000. It is on a flat site. This building was already in the program under the state scheme and was costed out in February under the state building program for $285,000. The state was going to do it for $285,000. Switch the responsibility to the Commonwealth and the cost is $727,000!

Some of that money could have gone, for instance, to Westmead Cancer Care Centre, where I spent three hours last week. The Westmead Cancer Care Centre does some wonderful work right from the laboratory to the patient. I talked to some of the patients who were having their last chance treatment and are facing a pretty grim circumstance.
We do not have money for Westmead but we have money to treble the price for a school building somewhere simply because we have transferred it to the Commonwealth. Westmead Hospital does some wonderful work and I plead for people to understand that they have a wonderful resource out there. It is the best in the southern hemisphere and it badly needs resources.

By the way, the key researchers out there are almost on weekly contracts because the hospital cannot guarantee them beyond a few months’ work because they do not have the budget. These are key researchers who look after people's lives. They have now identified the melanoma gene, and that work is going to save a lot of people. The biggest killer of men between 25 and 45 is melanoma. So that is the waste.

I did notice in the *Australian* that Paul Kelly said in November 2008 that the decay of New South Wales was reflected in the open antagonism towards the government by Paul Keating and people like John Robertson and the fact that the government in New South Wales has been handed back to the New South Wales trade union movement.

There is a cost in not having a price. Last Thursday I got a death threat. I rang the AFP. They did not have enough people to put anyone on the case. I have had a $1 million bribe offer. I do not know how many people in this room have had a $1 million bribe offer, but I have. This was from people who are wanting to develop things in Sydney. I said to the guy, ‘Hang on a minute. I actually do this for nothing.’ But unfortunately in New South Wales there are a lot of people who say, ‘Yeah, let’s go and have a cup of coffee and get down to business.’ What is going on in New South Wales is a dear and expensive way to learn a lesson. I know a lot of the people involved and I know that some of those people expect a return on their money. It is pretty sad that a lot of people do have a price.

I take you to something that is more ‘touch and feel’, and that is the fact that in New South Wales historically in a few weeks time—and I cannot think of another time when this has happened—they are going to put a bank across the Lachlan River below Condobolin and cut the river off. Where is the Green movement? Bob, where is your mob? They are about to cut the Lachlan River off. We have just restocked it with fish—30 inches they are; my man caught a couple the other day. Without any consultation with the community, without even knowing how many people are going to be affected, they have taken a decision to put a block in the Lachlan River. Everyone downstream from Condobolin has been told, ‘Make your own arrangements.’

Not only is the department in New South Wales at fault but I would have thought that the landowners themselves are at fault. I would have thought the management committee of the river is at fault. I asked them: how many people are going to be affected? They did not know. I asked them: how many stock are going to be affected? They did not know. These properties rely on the river for stock and domestic water and, as Senator Fisher would say, for ‘critical human needs water’, but we have taken a decision to block it.

We have the Cadia mine—a big enterprise—looking to further develop the mine. They want to take more water out of the sub-catchment of the Lachlan River. I have the plan here and I will table it. It is a project application and statement of objection to the project by the Belubula Landholders Association. This mine wants to take more water from the system. There is no understanding of the connection between groundwater and the river. The Upper Lachlan landowners, Mr
Moxey and his mob, actually control the committee that controls the management of the river. They are not restricted in how much groundwater they can take out of the ground in the Upper Lachlan aquifer—whereas the blokes down at Hillston have been controlled, and they should have been controlled because what they were taking was excessive. But the excessive extraction from the aquifer at the top of the river is not controlled. The only reason they are allowed to do it is that the New South Wales government has not got around to doing the management plan for that aquifer. As we know, there is a lot of connectivity between groundwater and rivers. Up to 40 per cent of the river water is actually groundwater flowing into the river. But, no, in New South Wales it does not matter.

Historically I cannot remember a time when the government took a decision to put a block in the river and let everyone down-stream, including the fish and livestock, make their own arrangements. I cannot think of a better example of an incompetent god-forsaken government. It is an absolute and utter disgrace. It is a constitutional flaw. The mob over here do not care. There is not one person in this government in this parliament who lives and/or makes their living in the bush. They do not care and they do not know.

It is time that Australia’s farmers marched on this place and had a meeting out the front. Go to Tasmania and talk to the dairy farmers. You would be familiar with this, Mr Acting Deputy President Barnett. The dairy farmers have just been told they will get 26c a litre for milk.

The ACTING DEPUTY PRESIDENT (Senator Barnett)—Order! Your time has expired. Were you seeking leave to table a document?

Senator HEFFERNAN—Yes. I seek leave to table the Belubula Landowners Association statement of rejection to the further expansion of the Cadia mine.

The ACTING DEPUTY PRESIDENT—Is leave granted?

Senator Faulkner—At this stage leave is not granted, because the usual courtesy of providing a copy of the document has not been adhered to. It has just been thrown at me by Senator Heffernan. I will have a look at it. If it is alright, at a later stage it can be tabled. There are normal courtesies involved. Thank you for throwing it at me. I will now have a look at it.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.54 pm)—by leave—I am very happy to put the Belubula landowners document on the record, because that is how it should be, but the form is for the senator to provide that to other members of the house first. I might also add that, if Senator Heffernan wishes to take some action about the blocking of the Lachlan River, which sounds to me to be full of incredible problems, then let him take action because actions speak louder than words. The Greens will certainly be there taking consideration of that action in this Senate.

Senator Faulkner—I have glanced quickly at this document, but that will not necessarily solve the problem because Senator Bob Brown has not had an opportunity to sight it. Senator Heffernan, I do not want you anywhere near me, thank you. You have to retain your sense of humour in this place. Did you actually mean for the email to be tabled?

Senator Heffernan—Not the email; just the white papers. I was in a hurry.

Senator Faulkner—You were in a hurry. What about the covering email?
Senator Heffernan—None of that; just the submission.

Senator Faulkner—So there are two documents you do not want tabled that you have passed on. You are not very careful with documents, Senator Heffernan. Anyway, I am happy, on behalf of the government, to give leave for the Belubula Landowners Association document, given to me discourteously by Senator Heffernan, to be tabled. This is subject to the views of other senators in the chamber, of course.

Leave granted.

MINISTERIAL STATEMENTS

National Security

Senator Faulkner (New South Wales—Minister for Defence) (4.56 pm)—On behalf of the Minister for Defence Personnel, Materiel and Science, my colleague Mr Combet, I table a ministerial statement on the contribution of defence science to the security of the nation.

AUDITOR-GENERAL’S REPORTS

Report No. 3 of 2009-10

The Acting Deputy President (Senator Barnett)—In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-General: Report No. 3 of 2009-10: Performance audit: administration of parliamentarians’ entitlements by the Department of Finance and Deregulation.

Senator Bob Brown (Tasmania—Leader of the Australian Greens) (4.57 pm)—by leave—I move:

That the Senate take note of the document.

The Auditor-General report entitled Administration of parliamentarians’ entitlements by the Department of Finance and Deregulation is a remarkable indictment of the failure of successive governments to put a proper curb on the printing entitlements of parliamentarians. I think it warrants some response in this place. In 2003 I moved to disallow a major hike in printing allowances, particularly for members of the House of Representatives, in the run to an election and I was successful. In 2006 I similarly moved to prevent a hike but I was not successful. On behalf of the Greens I have repeatedly sought a facility for parliamentarians to keep a watch on their spending and for parliamentarians to get advice on whether spending is legitimate.

Senator Faulkner—Didn’t the opposition propose that and you supported it?

Senator Bob Brown—Yes, thank you, Senator Faulkner. But here we have a document which is a pretty savage indictment of the rorting of the printing allowance by members of parliament to advantage themselves politically.

The Auditor-General is making out, if I am not misrepresenting this—I am shorthand— that the printing allowance is meant to help parliamentarians extend their work with their electorates and to give information which is helpful to their constituents but instead it has become more and more a facility to help MPs in election campaigning. It has become a taxpayer funded advantage which candidates who are not incumbents do not have. Therefore, it advantages incumbent members over those who contest elections. On the face of it that is patently unfair. The printing allowance should never have been allowed to do that.

In the report the Auditor-General found that the government turned down approaches in the past for something to be done about this. I am not going to go into the full gamut of the findings by the Auditor-General, but they are an indictment of misspending, self-investment, taking political advantage and misuse of taxpayers’ money. The Greens and I will be expecting that the recommendations of this report, which principally call for a set
of guidelines which cannot be broken and which defend the public interest in the spending of printing allowances, be adopted. There are five recommendations and all five ought to be adopted. On behalf of the Greens, I want to propose that this parliament and this government should instigate this. But this parliament should go further. It should set up an independent arbiter to oversee the spending of the monies that come to MPs for use in their electoral work. I do not think it should just be the printing allowance but electoral and other allowances as well.

There is a double side to this. One is that the ‘parliamentary ombudsman’, if you like, would be able to arbitrate the spending of money to defend the public interest, to see that it is not rorted, not self-invested, not giving a particular electoral advantage and not being saved up—to be spent in a run to an election. The second thing is that it will defend the interests of good parliamentarians who are worried about whether they should spend their printing allowance or other money on a particular purpose. They would be able to refer to an arbiter who makes that decision.

Ten years ago, if I wanted something printed in this place using the printing allowance, there was a Senate printing office. They would say, ‘Senator, you can’t spend it on that,’ or ‘Yes, we’ll go ahead and print that,’ or ‘If you take off the Greens logo, that’ll be okay.’ We knew where we stood. That has now been abolished and we do not know where we stand anymore. And, if you do not know where you stand, good people will try to do the right thing, but there will always be those who will try to rort the system. It is embarrassing that we have this report before the parliament but it must be taken note of. The recommendations should be implemented.

We should go further and establish a permanent watchdog, an independent arbiter, to watch over printing allowance spending and other parliamentary spending meant for electoral advantage—that is, the advantage of the people we serve, not the serving members themselves. It is an important matter. There is a pure finding by the Auditor-General of double-dipping here; printing allowances have been used for electoral advantage and then the member, or the party, has sought to get a refund for that printing through the electoral allowance. The already-publicised use of a very limited number of printers, particularly by the bigger parties, have been found to be donors to the parties. An absolute watch has to be put on that.

We must act on this Auditor-General’s report. I think we must be bold and come up with stronger recommendations than the recommendations of the Auditor-General. This is an indictment of misspending of the public’s money in the self-interest of the parliamentarians. We have got to put an end to it. It is simply not right that we put this report on the shelf and do nothing about it. The executive is the agency that must implement these findings. Without the executive, without Prime Minister Rudd taking action on this, it will not happen. I challenge the Prime Minister, the Hon. Kevin Rudd, to not only implement the findings of this Auditor-General’s report this year, but to also go one step further and set up an independent watchdog in the public interest and in the interest of those parliamentarians who want to do the right thing.

**Senator LUDWIG** (Queensland—Special Minister of State and Cabinet Secretary) (5.05 pm)—Senator Brown, I know that you do have, and maintain, a significant interest in this area. I recognise the contribution you have just made. On behalf of the government, I will briefly outline a response shortly. I will firstly go to a couple of issues.
One, the recommendations have been accepted in full by the government. I am pleased to announce today that I have responded to the Australian National Audit Office’s performance audit report on the administration of parliamentary entitlements. Today’s report does show that on the issue of parliamentary entitlements the system is—quite frankly—vague, ambiguous and ill-defined. It is fair to say that the report is critical of both the way politicians have accessed their entitlements and the way Finance has administered them.

In particular, the report does deal with—as I think you have outlined, Senator Brown—five areas in total. It was a comprehensive examination of five specific entitlements. They looked at office consumables, paper and toner. They looked at newspaper and periodicals. They looked at the communication allowance. They looked at the printing entitlement. And, of course, they looked at car transport. The audit focussed, though, on the use of printing entitlements by 144 members and senators from three states, primarily in the months leading up to, and during, the 2007 election.

As I indicated, the government have accepted all of the recommendations of the Auditor-General. Today I have also announced a package of reform measures to address those recommendations. We also indicate that there will be a two-step process. The first is the package I will shortly outline and the second is a review of the entitlements. That review of the entitlements will be undertaken by an independent panel. I will deal with the reforms first. We know from the Auditor-General’s report that this framework is complex and overdue for reform. We know that the Auditor-General suggested a review of the system in 2001. We also know that there was no reform of the entitlements in the intervening eight years. As a consequence, there is a loud and clear call for reform and the Rudd government will answer.

Of the reforms I have announced today, the first and most immediate change will be an immediate cut to the printing entitlement of 25 per cent, reducing the total amount from $100,000 to $75,000. That will mean a reduction of the entitlement by half since the Rudd government came to office. In addition, the rules for how to access the entitlements will be changed. Access will be strictly limited to parliamentary or electorate business. For the first time, we will put in the regulations a clear definition of ‘electioneering’. This will specifically prevent the use of the entitlement for the production of party-political or electioneering material, including such things as how-to-votes and party-political flyers. The second area I announce a change in will be the previously unlimited expenditure on office consumables like toner, paper and stationery. Expenditure will be capped and indexed to $35,000 per annum. This will ensure that the use of that entitlement in election years does not, as it has in the past, spike around election periods and that there will not be a shift from the printing entitlement to office consumables.

Members will be required to authorise all printing of material. The authorisation will be in the form of a clear written statement in the material, with a standard 10-point font informing constituents that the material has been printed at Australian government expense and which member has produced it. The taxpayer will be able to understand who has printed the material, as it will be printed clearly on the pamphlet. It will be only about parliamentary or election business. The printing entitlement—communication allowance will also be combined—and this is effectively an overdue reform—so that there will be one entitlement. They have been in the past—and I think the ANAO highlights this—overlapping. The entitlement frame-
work will be clearer, more transparent and more streamlined. In addition, the role of Finance in administering the entitlement will be dramatically strengthened. There will be more rigorous checking at the front end, where the entitlement will be checked before it is accessed by parliamentarians. There will be more rigorous checking before and after—that is, when the entitlement is being accessed by members and senators—to ensure that the material printed is within entitlement. At the back end there will be a more rigorous checking system when invoices for printing are presented and paid for.

To ensure that the printing providers themselves have reasonable access, there will be multiuser lists available. Those will ensure that people in regional and remote areas can have the printer provider and not be disadvantaged, but the multiuser list will ensure that the taxpayer gets value for money. The purpose of establishing a multiuser list is to support the local printing business. The current newspaper and periodical allowance will also be reformed to ensure that it is only used for parliamentary or official business and that the titles purchased, with the allowance and the costs, will be publicly reported. It will be about ensuring openness and transparency in the entitlement. As soon as practicable, we will drive a more open and transparent system so that the Department of Finance and Deregulation can place that material on the web, to use the general term. It will ensure that people will be able to understand what we have accessed, what amount we have spent and what we have spent it on. It will also mean the taxpayer and the general public will be able to understand the entitlement.

I indicated at the outset that there is a second part, which is the wider reform. A panel will consist of four distinguished public servants. I am sure this chamber would be aware of Barbara Belcher, a former First Assistant Secretary of the Department of the Prime Minister and Cabinet. Also on the panel will be Mr John Conde AO, President of the Remuneration Tribunal; Ms Jan Mason, General Manager, Corporate and Parliamentary Services, Department of Finance and Deregulation; and Professor Allan Fels AO, former ACCC Chairman and now Dean of the Australia and New Zealand School of Government. The panel will provide a report to government within six months of commencement. The report and recommendations of the panel will be reported publicly and will be considered by the government as a basis for a second-stage reform of the entitlements system.

The Auditor-General’s report sheds light on a system that is in bad need of repair. Entitlements, as we know, are ill defined, vague and difficult for Finance to administer. The parliamentary entitlements system has developed in an ad hoc way over many years. We know from the ANAO report, in looking at parliamentary entitlements, particularly the printing allowance, that parliamentarians have acted on the advice of the previous government. This advice by the ANAO has now been called into question by subsequent legal advice obtained in the course of the audit. I think the ANAO report makes that plain. This has left many politicians who have acted in accordance with the Howard government’s advice at the time at some risk of being found to have their entitlements outside of the framework. There is ambiguity within the framework itself, and that is why the Rudd government is moving to put in place clear rules and greater transparency.

(Time expired)

Senator XENOPHON (South Australia) (5.15 pm)—This report is timely. It is important that it not be ignored, as Senator Bob Brown has indicated. It is an indictment of the system that is currently in place. It indicates that there needs to be substantial and
significant reform. There must be a complete overhaul of printing allowances and, if we do not do so, we further jeopardise our reputations in the community as politicians. No wonder there is cynicism about politicians when this sort of material indicates that the system is not working in the public interest.

The Auditor-General’s report No. 3 of 2009-10, *Performance audit: administration of parliamentarians’ entitlements by the Department of Finance and Deregulation*, is quite revealing. A sample of printed materials from 144 members of parliament reveals that 74 per cent of items were at varying risk of being outside of entitlements and, further, that successive governments have encouraged the department of finance not to sight or check any printed materials. So there has not been enough oversight. There has not been a system in place to ensure that money is being spent on the purpose for which it is meant to be spent. Further to that, there is real concern that the framework has significant shortcomings. This is not a reflection on the Department of Finance and Deregulation. I think they do a very good job but the framework, the guidelines, are simply not there for the department to be able to ensure that politicians are accountable for their expenses.

Given that the Auditor-General has indicated that there ought to be a framework with overarching principles, I think that must be put in place sooner rather than later so that the printing entitlement is not rorted. There needs to be a framework that guides parliamentarians on their entitlements to ensure that they fall within the guidelines. I believe there ought to be sanctions if we fall outside those guidelines. There also needs to be formal arrangements in a mandatory sense for all of us to ensure that entitlements have been used for the purposes certified. There needs to be greater transparency in relation to the reporting on entitlements and done in way that is more publicly accessible. I think the best way of doing that is to put it on the internet.

I am pleased to see that the Special Minister of State is committed to reform in this area. That is welcome. Taxpayers are fed up with this allowance being used in such a partisan way. The fact that public funding or taxpayers’ money for this allowance was being used for how-to-vote cards is, I think, beyond belief. How can that be seen to be part of what a printing allowance ought reasonably to be about? That is clearly party political. Also, there ought to be rules in place so that newsletters or material from members of parliament paid for by the printing allowance are not distributed or disseminated once the writs are issued. Once the writs are issued for an election, clearly anything that goes out of an MP’s office is party political in the context of the use of a printing allowance. These are important reforms that must be implemented. If we do not do so, I think it will diminish all of us in terms of the system that we have in place.

I checked with my office today about my printing allowance. I used $1,305 in the last 12 months for letterheads, business cards and ‘with compliments’ slips. I am obviously not a very good politician, because I did not put out any newsletters in the last 12 months. It is quite legitimate for MPs to put out newsletters but I would see an allowance that goes beyond $10,000 or $15,000 per annum as being very much party political in nature. It gives a benefit to incumbents whether they are a member of a political party or they are an Independent. I do not think it is healthy in a democracy to have an in-built advantage for incumbents to use public money in this way. So I look forward to working with the government and the opposition on this issue. Senator Ronaldson, as the shadow special minister of state, has a particular interest in it. I think there is real scope for us to clean
this up and to do so in a way that will enhance public confidence in the system of entitlements, and that will be a good thing for all of us.

Senator RONALDSON (Victoria) (5.20 pm)—I, on behalf of the opposition, say that we support the recommendations of the Auditor-General report No. 3 2009-10 Performance audit: administration of parliamentarians’ entitlements by the Department of Finance and Deregulation and we also support the matters raised by the Special Minister of State to address them to date. We need to go back and explain why we support these recommendations. There has been a clear lack of clarity about these entitlements from the time of the Keating government, which introduced the newsletter allowance, to that of the Howard government and then through the first 20-odd months of the Rudd government. The ANAO has indicated that there needs to be clarity and a lack of ambiguity to address this situation.

I note with some interest that in about 2003 all political parties, including the Australian Democrats at that stage, the Labor Party, the National Party and the Liberal Party, were operating off the back of a number of conventions. The parties followed them because of a lack of clarity. The conventions came out of a Senate estimates hearings with Senators Robert Ray and Faulkner in 2001. Parliamentarians have been acting off the back of those conventions up until today. I am sure that all my colleagues on both sides in the other place and in the Senate would appreciate some clarity. In relation to the 42 points, it is useful to refer to page 28 of the summary to the ANAO report, where it says:

However, if the components of the 42 Questions and Answers document were read separately by Parliamentarians and relied upon, as we now understand has occurred, then the number of printed items that would fall outside of this guidance would represent a very small proportion of the items sampled by the ANAO.

Parliamentarians on both sides have been relying on those conventions. I am pleased that after the Keating, Howard and Rudd governments at least there will be some clarity now where there was a lack of clarity. The opposition looks forward to working with the Special Minister of State, Senator Ludwig, regarding this inquiry and the implementation of the matters that he has announced this afternoon. We believe, as the government does, that that clarity is extremely important. We are pleased that the ANAO has identified that lack of clarity and given some indication about what may be the move forward.

I note that back in 2001 when the ANAO looked at this they did not make recommendations themselves relating to further clarity. The Remuneration Tribunal has in the past chosen not to put in any clarity. In some respects I think it has a lot do with the need for a judicial interpretation of these definitions and everyone has been operating in a vacuum now for a decade and a half. Hopefully, on the back of the ANAO report, we will see that clarity take the ambiguity out of the interpretation and we can move forward; and the community can look at what we are doing with some confidence and say that there are appropriate processes being followed and that individual members and senators are following those processes.

But again I say that we were operating on the back the 42-point convention, which was driven by a lack of clarity and at least provided some indication for members and senators as to what was or was not appropriate. I acknowledge that the ANAO has said that those conventions may well have been outside their interpretation of the guidelines. I accept that and I accept their recommendations. The Special Minister of State will have the opposition’s full support in ensuring that
the ambiguity and lack of clarity in this matter is addressed.

Question agreed to.

The ACTING DEPUTY PRESIDENT (Senator Bernardi)—Before I move onto the next item of business I need to clarify something from the earlier debate on a matter of public importance. I understand Senator Heffernan sought leave to table a document and has since been granted leave.

NOTICES

Presentation

Senator XENOPHON (South Australia) (5.25 pm)—I indicate my objection to the withdrawal by the Chair of the Senate Standing Committee on Regulations and Ordinances of business of the Senate notice of motion No. 2 for 10 September, and I ask that my name be put on the notice.

VETERANS’ AFFAIRS AND OTHER LEGISLATION AMENDMENT (PENSION REFORM) BILL 2009

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.26 pm)—I table a correction to the explanatory memorandum relating to the Veterans’ Affairs and Other Legislation Amendment (Pension Reform) Bill 2009.

COMMITTEES

Intelligence and Security Committee Report

Senator MARSHALL (Victoria) (5.26 pm)—I present the report of the Parliamentary Joint Committee on Intelligence and Security Review of administration and expenditure: No. 6—Australian intelligence agencies.

Senator MARSHALL—by leave—I move:

That the Senate take note of the report.

Question agreed to.

Senator MARSHALL—I seek leave to have the report incorporated in Hansard.

Leave granted.

The statement read as follows—

Mr President, the Parliamentary Joint Committee on Intelligence and Security’s oversight of the Australian Intelligence Community is a key element of our national security architecture. I am therefore pleased to present the sixth review of the administration and expenditure of the AIC by the PICIS.

The review examined a wide range of aspects of the administration and expenditure of the six intelligence and security agencies, including the financial statements for each agency, the reorganisation and consolidation of agency structures, the impact of any recent legislative changes, their human resource management including separation rates, training, recruitment and accommodation and budget growth and financial governance systems associated with expenditure.

With regard to human resource management, the Committee found that maintaining adequate levels of language skills, especially with expertise in local dialects, remains a challenge for a number of the agencies. The Committee also noted that some agencies experienced higher separation rates in 2006-07, exacerbated by a competitive job market and internal policies encouraging staff mobility.

All AIC agencies indicated that performance management and evaluation continued to be a key service delivery priority. In some agencies this process has involved developing more user friendly intelligence product, more stakeholder engagement programs, annual customer surveys and formal performance reviews.

The Committee also noted that, in recognition of an upward trend in its litigation workload, ASIO introduced a new Legal Division and a Terrorism Litigation Advice Branch within the Investigative Analysis and Advice Division. The Committee identified the challenges associated with e-security across the AIC. It heard that agencies are working collaboratively and diligently to maintain optimum levels of e-security in a fast paced and global threat environment.
The Committee found that, despite facing the challenges associated with considerably increased budgets and the rapid, large-scale recruitment of staff, all agencies are currently managing expenditure appropriately.

The Committee is satisfied that the administration and expenditure of the six intelligence and security agencies is sound, and it thanks the Heads of the AIC agencies and all those who contributed to this review.

COMMITTEES
Legal and Constitutional Affairs
References Committee

Report
Senator Barnett (Tasmania) (5.27 pm)—I present the report of the Legal and Constitutional Affairs References Committee:
A possible contempt in relation to a witness to the committee’s inquiry into access to justice.

Ordered that the report be printed.

Senator Barnett—by leave—I move:
That the Senate take note of the report.
Question agreed to.

Education, Employment and Workplace Relations References Committee

Report
Senator Humphries (Australian Capital Territory) (5.28 pm)—I present a report of the Education, Employment and Workplace Relations References Committee on its inquiry into Australia’s research and training capacity in the area of climate change, together with submissions received by the committee.

Ordered that the report be printed.

Senator Humphries—by leave—I move:
That the Senate adopt the recommendation of the report that the inquiry into Australia’s research and training capacity in the area of climate change not proceed further.

I will speak to that motion only briefly. The Senate saw fit to refer to the Education, Employment and Workplace Relations Committee in June 2008 a reference relating to the effects of climate change on training and employment needs. Senators will be aware that since that time there have been a number of inquiries by other committees of the Senate on climate change. Both references and bills relating to climate change have been comprehensively dealt with—for example, by the economics committee—as a matter of some urgency at the time. The Education, Employment and Workplace Relations Committee had considered the terms of reference of its own climate change referral, and when that matter was referred to it formally a number of submissions were received—some 51 in total.

Although many of these submissions were interesting and useful—for example in the areas of the need for increased environmental literacy, the teaching of sustainable skills, new occupations to be encouraged and new labour market pathways to be created—there were also a number of submissions which, it could be said, went outside the terms of reference of the inquiry into other broader areas relating to climate change. The committee was faced with pressures from new and urgent inquiries, particularly in workplace relations, which made it difficult to return to the subject of this inquiry. The committee took the view that too much work had been undertaken in the area by other committees in the time between the receipt of submissions and the likely time of commencement of hearings for this inquiry to make its own inquiry worthwhile. Accordingly it recommends in this report to the Senate that this particular reference be discharged.

Question agreed to.
On behalf of the Chair of the Parliamentary Joint Committee on Corporations and Financial Services, I present the report of the inquiry into aspects of agribusiness managed investment schemes together with a Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator WILLIAMS—by leave—I move:

That the Senate take note of the report.

The majority of the committee which I am part of made three recommendations in relation to managed investment schemes, forestry and non-forestry. I would like to put on the record that the National Party opposes managed investment schemes. We oppose them because we think they are unfair. In any other situation where a company is formed by people coming together and where, for example, that company buys land or establishes forest or non-forestry business, those people do not have the same advantage of up-front tax deductions. For example, if someone were to move to North Queensland with a managed investment scheme and set up a huge banana industry, they could buy the land, with up-front tax deductions, but genuine banana farmers would not be able to benefit from those same tax deductions if they were to buy their neighbour’s property. This could lead to oversupply and the financial ruination of genuine producers.

We are also very concerned about the amount of farmland in Australia that is being planted with trees. At the moment 0.4 per cent of agricultural land is planted with trees. If these schemes proceed, especially under the CPRS, we may see more than six per cent of Australia’s farmland planted with trees by the year 2020. The question of food security then arises. In the next 30 years, the world is going to have to double its food production. This is of huge concern to us.

We think it is unfair that these managed investment schemes can get away with these up-front tax deductions. It is simply wrong. There need to be more changes to this and I would like to put on record that the National Party opposes managed investment schemes. Even though I present the report here today and did not put in a dissenting report, I thought I would express my disagreement with the recommendations and the whole policy scheme as it stands. That is all I have to say.

Senator MILNE (Tasmania) (5.33 pm)—I rise today to note the report of the Parliamentary Joint Committee on Corporations and Financial Services in relation to managed investment schemes. I have to say that it is one of the weakest reports I have seen presented in this Senate and I am extremely disappointed in it. When it is printed and the public get to see this report, I think they are going to ask some serious questions about why this committee did not have a good look at ASIC’s oversight of managed investment schemes.

That is the key issue here. I have a policy view that managed investment schemes have been an appalling idea for rural and regional Australia and I can demonstrate that through what they have done to rural communities, to the price of land and to the cost of water and through their displacement of people. I can do all that, but the issue here is that this committee was to look into the collapse of these managed investment schemes, what went wrong with them and who was responsible. Instead of that, ASIC oversight gets about three-quarters of a page and the recommendations do not go anywhere near what needed to happen.
There is no justification whatsoever for the view put that managed investment schemes should continue for forestry. All that is reiterated in this report is what the National Association of Forest Industries and A3P have to say. There is no real analysis whatsoever.

I want to put on the record that I wrote to ASIC at the end of last year and I gave them figures, box and dice, on what is going on with Great Southern Plantations in Tasmania. I sent them photos of cattle grazing on these supposed plantations at Temma. I gave them facts in relation to claims that had been made by so-called independent foresters. For example, an independent forester, in the Great Southern Plantations 2005 and 2006 product disclosure statements said:

... it is reasonable to assume ... the Plantations will be capable of being managed as a whole to produce an average growth rate of 250 m3 gross of timber produce per hectare of Woodlots ... after approximately 10 years growth for each product.

At the time, Great Southern knew that that was not achievable and had not been achieved. They were aware, when they released their 2005 and 2006 product disclosure statements, that they had failed to achieve those returns. In fact not only did the woodlot crop planted in 1994 failed to deliver those returns, but Great Southern went ahead and arranged for a subsidiary company to purchase not only the 1994 woodlots but also the 1995 and 1996 woodlots. They did that and then they used money invested in future years to go back and inflate the price that they gave to investors in order to pretend that the returns were in line with the 250 cubic metres that they had put in their product disclosure statements.

I sent all that to ASIC and I said: ‘This is a Ponzi scheme. They are buying back, they are inflating the return to investors in the early years to make it look as if this product is returning to investors when it clearly is not.’ I sent them details of those product disclosure statements—the whole shebang. I asked them a series of questions about how it was that these false and misleading claims were in the product disclosure statements and why ASIC had not gone back and had a look at the claims. I sent them the photos of cattle grazing on these woodlots. I sent them the whole lot. In return, in January this year, I get back a letter from ASIC which would indicate to anybody reading it that you do not get oversight of these schemes. For example, they said, ‘I advise that concerns about alleged mismanagement should first be raised with the responsible entity of the scheme.’ Don’t they appreciate that the ‘responsible entity’ of the scheme is the scheme manager? These were not independent responsible entities; they were lending money to investors to invest in the product. There was a conflict of interest at every level. If you went and complained to them, you would not get anywhere. Then ASIC wrote: ‘If your constituent is not satisfied, you can go to the Financial Ombudsman Service.’ Great, you can go there. They go on to say ‘perhaps you could get independent legal advice’. ASIC are meant to be overseeing and monitoring the managed investment schemes—and it is not happening. They do not even require a product disclosure statement to be made, except under certain circumstances. They then went back, when this investigation was done, and said they had surveillance over a range of things. But the classic was their response to my allegation that it was a Ponzi scheme, that it would collapse because they were using the investments over these years to go back and subsidise and so on. In their answer to whether or not it was a Ponzi scheme they said:

Generally, Ponzi schemes are investment schemes where returns are paid to investors entirely out of the incoming funds of new investors entering into...
the scheme. An indicator of such a scheme is a lack of assets ... I advise that there is insufficient evidence to indicate that Great Southern Plantations is a Ponzi Scheme. The 2007 financial report for Great Southern’s managers indicate that its controlled entities’ profit after tax was—

blah, blah, blah—and they went on with all the profits that they have got. Therefore, because the financial statements were audited, and Great Southern had profits, it could not be a Ponzi scheme. They did not actually go back and examine the allegation that the returns on those woodlots had been inflated by the investments from subsequent years. They just said: ‘We went to their financial statements. They were audited statements. They were making a profit. Therefore it can’t be a Ponzi scheme.’ If that is the confidence this committee has in ASIC to oversee forestry managed investment schemes, I do not share that confidence—and I do not think the community shares that confidence. I would like to see ASIC brought to account over why they did not exercise real monitoring and oversight of the managed investment schemes.

I do not support the fact that this committee has recommended that forestry managed investment schemes continue to get 100 per cent tax deductibility. It is a disaster for rural Australia. Now we are having these schemes wound up, we are getting these plantations put on the market, with windfall profits for companies like Gunns that are going to run around and buy them up—because somebody has to manage them, and it is better that they are managed so they do not go to rack and ruin; at least that is something. I raised that in here as well, saying I do not want these taxpayer subsidised plantations to be overrun by weeds and feral animals, not thinned and become useless in the end. It is incumbent on us to actually make sure that they are managed at least, and that there is a return on them. But to turn around now after this inquiry, after this mega-disaster in rural Australia with Timbercorp, with the Elders subsidiary, with Great Southern, and say, ‘Oh, it’s okay; we think it’s a good idea because we get investment in rural Australia in plantations, therefore it should continue,’ I think the real question has to be: what level of influence did NAFI, A3P and the forest industry have such that this parliament failed to properly assess what went wrong with the collapse of these particular schemes? And how could we just turn around after such a spectacular collapse and say that it should continue? It is beyond me. It means there is not real due diligence in relation to these schemes; and there is clearly a philosophical view, an ideological perspective in here that we will continue to give 100 per cent tax deductibility to investing in plantations, to the detriment of food production, to the detriment of rural communities throughout Australia, to the detriment of people on the land, because we want to give these returns to Collins Street investors, returns to the forest industry.

Farmers around the country are having to pay inflated land prices and inflated water prices because of these particular managed investment schemes. The dairy industry in Tasmania is under pressure, for example. In will come these schemes now, with their 100 per cent tax deductibility, and a lot of those farmers in trouble will eventually sell because of the way that the pressure comes onto those rural communities. We have a food security issue globally. We need to be protecting our best agricultural land to provide food. The best land and the best water produce the best trees. We are in competition. This is not about marginal land versus valuable land. This is about the best use of that land, and I do not support subsidising plantations to the destruction of rural Australia.
Senator ABETZ (Tasmania) (5.43 pm)—
I note the report and look forward to reading the full contents of it. But I do want to make a contribution to the general discussion of managed investment schemes in Australia. It should be noted that there are over 5,000 managed investment schemes being run in Australia as we speak. Sure, some of them have run into trouble. What I would suggest to honourable senators is that we leave it to the liquidators and administrators to come to conclusions as to why and how that occurred. It would be as ludicrous as to say that the retail sector in Australia should be closed down because Harris Scarfe went through the hoops, or because some other retail company failed.

Unfortunately, in a competitive marketplace you will have certain companies, enterprises and pursuits succeeding whilst others are failing. Just because one, two or indeed three fail that does not of itself mean that the particular enterprise that people are engaged in is a bad enterprise. The chances are it means that management of the failed schemes was not as robust as it otherwise might have been. Indeed, some analysts—and I simply leave it at that, some analysts—suggest, for example, that if Great Southern—and I do not want to get into a debate about Great Southern other than to say this—had not diversified into cattle properties or had been able to offload, I think, about $700 million worth of cattle properties, their timber sector would have remained viable and would still be up and running today. It is those inconvenient facts that Greens like Senator Milne so studiously avoid in any discussion of managed investment schemes.

I also say to senators: be very careful about what you wish for. I still recall the outcry in rural and regional communities when compulsory superannuation, enforced savings, came in. That meant that nine per cent of people’s income found its way to superannuation funds that invested their moneys in office blocks in the cities and people were saying, ‘Where’s the money that used to float around in our rural and regional communities?’ I can tell you that agricultural and forestry managed investment schemes have seen money going from the cities back into rural and regional Australia. For example, ask the local nurseryman who has been able to grow the cherry trees for the cherry orchards or the walnut trees for the walnut groves that we have in Tasmania. Ask the contractors who are employed to do the ground preparation, the spraying, the weed control or the fencing. All that sort of activity has been of great assistance to rural and regional communities.

It was most interesting to listen to Senator Milne complaining in particular about managed investment schemes for forestry. It was the Greens’ policy position to get out of old-growth forests and native forests. As a result, previous governments said, ‘If we are going to withdraw from that sector and Australians still want wood products, we will have to grow timber fibre and product on a plantation and no longer harvest our native forests.’ So we moved to plantations with a slight tax incentive—I do not think it is much of a tax incentive, quite frankly—and do you know who called for tax incentives for plantations? None other than the leader of the Tasmanian Greens. I think that was in 1996. Do you know who that leader of the Tasmanian Greens was? The now Deputy Leader of the Australian Greens, who has morphed into a senator and now condemns the policies that she previously supported, including the conversion of prime agricultural land on the north-west coast of Tasmania—at least I think it was about one third of it—to tree plantations. Now she rails against such activities. That is the great thing about being an Australian Green: you never have to be consistent and you never have to be logical; all
you have to do is bash the can that is around at the time and try to get some cheap publicity. Consistency ain’t a hallmark of the Australian Greens.

I say to those who want to attack managed investment schemes: be very careful about what you wish for. I say that because they have provided great incentives and great opportunities. I still recall being part of the first commercial harvest of garlic in my home state of Tasmania. Ninety per cent of the garlic consumed in Australia is imported from China. There was a Greek individual who thought Australia should grow its own garlic and he had the wherewithal to do it, the capacity to do it, other than the financial backing. He went from farmer to farmer and to farm organisations and to all sorts of companies seeking assistance and failed year after year. Finally a managed investment scheme operator said, ‘Let’s try and see if we can interest people in growing garlic.’ It was grown on a landholder’s property in northern Tasmania. After years of experimentation in Victoria and Tasmania, Tasmania—and can I say how delighted I was about this—won out in relation to where it grew best. We were able to get a commercial domestic garlic crop which Coles were then willing to purchase. It was a great thing for Australian agriculture but, unfortunately, that first commercial crop came at exactly the time when Treasury and the Australian Taxation Office took a view which I thought was wrong in law and in principle in relation to managed investment schemes. Without airing too much dirty linen from the Howard years, I remember a debate within the government about this very matter. Whilst I have only ever seen myself as a humble suburban solicitor, I did read all the cases in relation to managed investment schemes and it was my considered opinion, on the basis of all those authorities, that the ATO and Treasury were heading for an absolute flogging by refusing to provide product rulings for the non-forestry sector. Two years later the Federal Court ruled as I predicted they would, but of course the non-agricultural sector had two years of no product rulings, which caused it a lot of grief. It will be interesting to see what responsibility the ATO and Treasury will take for not allowing that financial flow to non-forestry managed investment schemes and for what happened to them.

Can I simply put on the record—this is an error by some, a deliberate misrepresentation by others—that managed investment scheme funds cannot be used for the purchase of real estate. That is a fact and that needs to be understood. In relation then to upfront tax deductibility of things such as management and rent and lease costs, they are 100 per cent deductible, just as much as a farmer, if he were to rent or manage the next-door neighbour’s property and plant a crop, would have all of those costs available to him as a 100 per cent tax deduction.

I want to quickly finish on this note. Some people argue against MISs on the basis that there should be one tax regime for all. I simply say to my friends in the rural community: farm managed deposit schemes do not apply to MISs and income averaging does not apply to MISs, and if you hold that as a dear principle of equality in taxation treatment, you would then have to get rid of farm managed deposit schemes and you would have to get rid of income averaging, and that would cause great dislocation to the rural and regional communities of our country.

Question agreed to.

TAX LAWS AMENDMENT (2009 MEASURES No. 4) BILL 2009
First Reading

Bill received from the House of Representatives.
Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.54 pm)—I move:
That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.54 pm)—I move:
That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

This bill amends various taxation laws to implement a range of improvements to Australia’s tax laws.

Schedule 1 implements a change to the Research and Development Tax Offset, that is, the R&D Tax Offset, which is part of the R&D tax concession. As announced in the Budget, this is an interim measure ahead of the introduction of a new R&D tax incentive in 2010-11.

Currently, certain companies can choose to receive the tax concession in the form of a refundable tax offset, rather than a deduction. The R&D Tax Offset allows companies to ‘cash out’ the R&D tax concession, which means it is most attractive to companies that are in a tax loss position, who cannot immediately benefit from an additional tax deduction.

One of the requirements for the R&D Tax Offset is that the company has no more than $1 million of eligible R&D expenditure, subject to grouping rules. If the company’s expenditure exceeds $1 million, they are not eligible to claim the Offset. The $1 million cap means that some companies keep their expenditure below this level in order to claim the R&D Tax Offset—a perverse outcome, given that the purpose of the tax concession is to encourage R&D.

This measure lifts the expenditure cap from $1 million to $2 million. This will provide a further boost to small pre-profit companies in research intensive industries, ahead of the introduction of the new R&D tax incentive in 2010-11. It also mitigates the incentive for firms to keep their R&D spending below the current expenditure cap.

In regard to Schedule 2, the Treasurer announced in the 2008 Budget that the Government would legislate guidelines to improve the integrity of prescribed private funds and to provide the trustees of such funds with greater certainty as to their philanthropic obligations.

Following a thorough public consultation process, this measure amends the 1997 Income Tax Assessment Act, the Taxation Administration Act 1953 and the A New Tax System (Australian Business Number) Act 1999 to improve the integrity of prescribed private funds.

Schedule 3 amends the income tax law to provide relief from CGT to members and insured entities of friendly societies that have either a life insurance business or a private health insurance business, or both, and the society demutualises to a for-profit entity.

Depending on how the friendly society chooses to demutualise, these entities do not easily fit within the existing demutualisation regimes. These amendments will provide a broadly equivalent CGT outcome for members and insured entities of these friendly societies relative to what members and policyholders of a stand-alone life insurer or private health insurer would receive if the insurer demutualised.

Schedule 4 amends the 1997 Income Tax Assessment Act to ensure that losses transferred to the head company of a consolidated group or a multiple entry consolidated group by a joining entity that is insolvent at the joining time, can be used by the head company in certain circumstances.

The amendments allow the transferred losses to be applied to reduce a net forgiven amount under the commercial debt forgiveness rules, reduce a capital allowance that is adjusted under the limited recourse debt rules, or reduce a capital gain that arises when the joining entity subsequently leaves the group.

As the amendments are beneficial to taxpayers, they apply from 1 July 2002—that is, from the
The purpose of this bill is to simplify the process for Australia to accept agreed amendments to the Articles of Agreement of the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development, commonly known as the World Bank.

The International Monetary Agreements (IMA) Act 1947 established Australia’s membership of the IMF and the World Bank.

The Articles of Agreement of the Fund and Bank are schedules to the Act.

This Bill proposes to alter the definition of the IMF Articles of Agreement ("Fund Agreement") and the definition of the World Bank Articles of Agreement ("Bank Agreement") to include any amendments of the relevant Articles of Agreement that enter into force for Australia without the need for further legislative changes.

Similar provisions are commonly used in Australian legislation to allow updates to international treaties to which Australia is party.

Currently, an IMA Amendment Act is required to reflect any amendments to the Fund and Bank Agreements.

However, this legislative process is largely an administrative task, as all proposed amendments are required to go through rigorous approval processes at both the institutions and within Australia.

This Bill also does not alter the way in which Australia’s financial relationships with the IMF and World Bank are conducted.

The Treasurer, as Australia’s Governor of the IMF and World Bank, is required to vote on any proposed amendments to the Articles of Agreement of either institution.

For the amendment to enter into force, three-fifths of all members of the IMF or World Bank, having 85 per cent of total voting power, must accept the amendment.

If accepted, the amendment enters into force for all IMF or World Bank members, whether or not a particular member has accepted it.

The Agreements constitute international treaties for Australia and, as such, irrespective of the requirement for legislation, any amendments to the treaties will still require tabling in Parliament and
consideration by the Joint Standing Committee on Treaties.

This Bill will allow Australia to accept a number of governance reforms, which have recently been approved by the IMF and World Bank Boards of Governors, when they enter into force for all members, including Australia, without the need for further legislative processes.

Specifically, these amendments aim to enhance the voice and participation of developing countries in the two institutions; and support a new income model for the Fund aimed at providing it with a more robust, stable, and sustainable income base.

As Governor for Australia of the IMF and World Bank, I voted in favour of each of these proposed amendments.

Australia has significant interest in seeing these reforms implemented as they will enhance the effectiveness and legitimacy of both institutions, and support the robust, stable and sustainable financial position of the Fund.

Given the current G-20 reform agenda, which includes calls for reform of the IMF and World Bank, it is likely that further amendments to the Fund and Bank Agreements will occur in the future.

This Bill will allow for Australia to adopt the recently agreed reforms, as well as any future reforms, which require amendments to either institution’s Articles of Agreement, in an efficient and timely manner while maintaining policy and Parliamentary oversight.

Further details of the Bill are contained in the explanatory memorandum.

Debate (on motion by Senator Carr) adjourned.

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

LAW AND JUSTICE (CROSS BORDER AND OTHER AMENDMENTS) BILL 2009

RENEWABLE ENERGY (ELECTRICITY) AMENDMENT BILL 2009

RENEWABLE ENERGY (ELECTRICITY) (CHARGE) AMENDMENT BILL 2009

Assent

Message from the Governor-General reported informing the Senate of assent to the bills.

MIGRATION AMENDMENT REGULATIONS 2009 (No. 6)

Motion for Disallowance

Senator FIERRAVANTI-WELLS (New South Wales) (5.56 pm)—I move:

That the Migration Amendment Regulations 2009 (No. 6), as contained in Select Legislative Instrument 2009 No. 143 and made under the Migration Act 1958, be disallowed.

These migration regulation amendments issued by the Minister for Immigration and Citizenship remove the requirement for onshore protection visa applicants to lodge their application within 45 days of arrival in Australia in order to be eligible for a right to work and Medicare benefits. Onshore protection visa applicants are generally granted a bridging visa while their claims are being assessed or reviewed. However, no work rights or Medicare benefits are currently available to people who are applying for a protection visa and who have been in Australia for 45 days or more in the 12 months before their application is made.

The 45-day rule will be replaced with a new test that provides that the minister must be satisfied that the applicant has a compelling need to work and the reasons for the delay in making the application for a protection visa are acceptable to the minister. The
amendments will essentially allow all on-shore protection visa applicants—at all stages of the application and lengthy appeal process, and regardless of whether they were lawful or unlawful at various stages of their time in Australia—to apply for permission to work, which presumably will be likely to be granted in all but the most exceptional of circumstances.

Amid the increase of boatloads of illegal arrivals, the minister’s silence on this issue is deafening. One has to delve deeply into the minister’s website to find any reference to these changes. These changes were announced as part of the 2009-10 budget in May this year, and at the time the only reference to these planned changes was buried deep within the portfolio budget statement. In fact, we had to wait until the minister’s press release of 1 July 2009 to find out more details of the Labor government’s proposed changes. Even then he only devoted a paragraph worth of explanation.

To understand Minister Evans’s silence, we need to be aware of the context in which these changes are being made. Australia is currently facing a drastic rise in the number of illegal arrivals through the criminal activity of people-smuggling. It seems to be a regular occurrence now, almost every week a new boatload of asylum seekers are intercepted by the Royal Australian Navy or the Australian Customs Service patrols.

Since the Rudd government abolished the temporary protection visa and further watered down the strong immigration policies of the coalition, there has been a steady stream of smuggler boats carrying a total of 1,293 asylum seekers, with an unknown number drowned at sea or intercepted and held in detention in Indonesia. In addition, and following the debate earlier in relation to the detention debt bill, it is very clear that we have approximately 48,000 overstayers in Australia at any given time.

Minister Evans knows that the policies of his government have directly led to an increase in the instances of people-smuggling to Australia. Despite these simple facts, the minister’s departmental website is littered with media spin falsely promoting his government as being tough on the issue of people-smuggling. It is no surprise that amid the spin we find only one minor reference to the government’s changes allowing greater work and Medicare rights to asylum seekers. This, of course, comes at a time when the Australian people expect the government to be directing their attention to deterring the criminal activity of people-smuggling. If the government feels so strongly about these changes, then clearly it should be actively promoting them to the Australian people. Indeed, it has been Labor Party policy for some time to change the system of access to work rights and Medicare benefits for refugees.

The Australian Labor Party National Platform and Constitution 2007 states in chapter 13:

Labor recognises that the arbitrary 45-day-rule results in legitimate asylum seekers on bridging visas being unnecessarily denied the right to work while their claim is being processed.

It is worth remembering that the statement was made in 2007, at a time when the Howard government’s tough stance on people-smuggling had reduced the flood of illegal boats to just a trickle. It is no wonder that, amid a surge in the number of boats, the Labor government is being noticeably silent over these changes.

The government earlier today debated the amendments which abolished immigration detention debt obligations, except for people-smugglers and illegal fishers. It is important to note that during that debate the key point
raised by the coalition was that asylum seekers found to be refugees have their detention debts waived or written off. Other illegals who were subsequently granted visas can have their detention debt waived or written off. In relation to overstayers who have breached their visa conditions and are placed in detention, it is entirely appropriate that they meet their detention debts. If they depart Australia without paying their detention debt, the coalition argued that they should meet those obligations before they are granted a visa to return to Australia in the future. Overstayers who depart voluntarily or are deported are still required to meet their removal costs. This debt is registered on the movement alert list and will be taken into account should that person choose to return to Australia at a future date.

If this program is poorly administered, then administrative arrangements should be improved rather than the government abandoning another deterrent mechanism. Rather than dismantling the system and abolishing the framework for detention debt, the waiver and the writing-off procedures should have been retained for consideration on merit. Further changes such as these act only to weaken our well-established and effective system of deterrence. The coalition has always been committed to an orderly and humanely managed immigration and refugee program, and we will continue to ensure that Australia remains one of the most generous providers of humanitarian settlement in the world. However, we will do this in a way that does not encourage unauthorised arrivals.

The Rudd Labor government has systematically unravelled the measures which previously kept our borders secure and have ensured a properly managed immigration system. This includes abolishing temporary protection visas, the proposed creation of a protection visa for those who are not eligible for refugee protection under the rules of the United Nations High Commissioner for Refugees, and now these changes to the 45-day rule. People-smugglers clearly have a well-established pipeline to Australia and are using the Rudd government’s softer policies to recruit more. Instead of sending out the right messages with policies to end this trade, the Labor government is instead proceeding with its program of deliberately softening border protection and immigration measures. We have seen a raft of changes in the department since July last year, all geared towards softening border protection and immigration measures and sending the wrong message. The shadow minister for immigration and the Leader of the Opposition have consistently called for an inquiry into the linkage between softening of policy and the surge of illegal arrivals. Such an inquiry is now long overdue and it is time this Labor government looked at the evidence, toughened up and took decisive action.

I would like to remind the Senate about the history of the 45-day rule. The coalition introduced the 45-day rule in July 1997. The rationale for this and other measures introduced at about the same time, such as the $1,000 charge for review by the Refugee Review Tribunal if applicants were unsuccessful, was to discourage bogus claims. In a speech to the National Administrative Law Forum in May 1997, then immigration minister, Philip Ruddock, explained his rationale for the new rule:

I have particular concerns in relation to those who travel to Australia on a visitor visa, with the necessary documents issued by their own government to travel here, and who seek to claim refugee status in Australia.

I am gravely concerned by reports I have received that people are using the onshore protection system to obtain work rights and access to Medicare. There are people who apply to my Department asking for the $30 work visa who appear not to be
bona fide asylum seekers. These applicants seek to delay their departure as long as possible knowing full well they are not refugees.

This abuse costs taxpayers millions of dollars, undermines public confidence in the system and causes processing delays, disadvantaging genuine applicants.

There is no reason to expect that the number of potentially bogus claims would be fewer in the future after these changes, given other recent softenings of the Labor government’s migration policy. In fact, with the dropping of the 45-day rule, one would expect that the number of vexatious claims would rise.

Indeed, one only has to consider the words of Minister Ruddock and the circumstances in Australia at the moment, given the number of overstayers that we have in this country—about 48,500—to easily see that, for example, international visitors and students may come to this country for a particular purpose and suddenly decide at the end of their time here, now that we no longer having that 45-day-rule barrier, to claim refugee status in Australia, irrespective of the documentation they had when they originally arrived. Therefore, I am very concerned that the abolition of this rule will result in quite a number of vexatious claims.

It must be remembered that income support is currently provided to asylum seekers who are unable to meet their basic needs for food, accommodation and health care while their applications for protection visas are being assessed. The assistance is provided through the Asylum Seeker Assistance Scheme, which provides 89 per cent of Centrelink benefits. It is run by the Australian Red Cross. After an asylum seeker has received a decision from the Refugee Review Tribunal, they are no longer eligible for this assistance. Under article 24 of the refugee convention, governments are required to provide state support for refugees equivalent to that provided for resident citizens. However, this requirement does not cover asylum seekers.

The 45-day rule has been effective in limiting abuse of the system. Vexatious claims occur mostly when international students and visitors exploit the chance to extend their time to earn wages in Australia. As we well know, and as I certainly saw in my many years of experience dealing in immigration law with the Australian Government Solicitor, appeals in this area can take a long time. Given the processes that are available, this can mean a highly extended period of time during which unsuccessful applicants will potentially receive unemployment benefits and Medicare assistance.

The arguments in support of retaining the 45-day rule for asylum seekers include the fact that most asylum seekers in the community have entered on visitor visas, which include no work rights or Medicare assistance. Nevertheless, they are given work rights and access to Medicare until their applications for protection visas are refused at the merit review stage if they apply within 45 days of entry. Secondly, so far as past governments have been concerned, asylum seekers whose claims for protection are rejected by the department and rejected again following merit review by the Refugee Review Tribunal are failed asylum seekers. The fact that they are able to pursue claims through the court should not entitle them to access the job market and other benefits and support. This creates a situation where, if one looks at the media reports, one sees some students doing courses for years, in areas in which they will never practice or undertake work, for the specific purpose of remaining here in Australia. At this time, given the economic circumstances, it is legitimate that Australia and Australians would question whether such persons should be also entitled to Medicare and unemployment benefits, especially given the levels of unemployment and, in particu-
lar, the very high levels of underemployment currently in our economy.

Thirdly, if the asylum seeker process is seen to be abused by people who have already been in Australia for months or years, it may indeed create a backlash against all asylum seekers in the community. Fourthly, the removal of the 45-day rule will further soften Australia’s border security and immigration policy, which is designed to provide all Australians with strong border security and an effective immigration system.

In conclusion, the opposition supports this motion for the reasons that I have outlined, given the very legitimate concerns about the potential problems, relating to abuse in particular, that removal of the 45-day rule may cause, especially in circumstances in Australia at the moment where we do have high unemployment and other real issues to deal with. I think this is a legitimate concern that Australians would want examined.

Senator HANSON-YOUNG (South Australia) (6.13 pm)—I rise to speak to the disallowance motion before us that has been put forward by the coalition. This, of course, is an attempt to prevent a better system of community support for asylum seekers while their applications are being processed. The idea of this disallowance motion is to stop this better process from being implemented. I would like to state that, perhaps unsurprisingly, the Greens do not support the coalition’s attempt to take us back to a system in which asylum seekers are denied basic access to services such as health and welfare support. In fact, the Greens have been at the forefront of pushing and lobbying for the removal of the 45-day rule, so there is no way that we would support the coalition’s motion. What we see before us today is another attempt by the coalition to mount a scare campaign—that Australia is sending a message to people-smugglers that we are going soft on people-smuggling. I do not know how far from the truth the coalition can be when talking about the basic rights of desperate human beings seeking our protection.

We are talking about the most vulnerable people—people who have fled persecution in search of a better life for themselves and their families. Yet the coalition, through this disallowance motion, are seeking to prolong the unacceptable, undeserved hardship of those in the most need of support and assistance. For the past 12 years we have had a system that has meant for asylum seekers who have not applied for a protection visa within a 45-day period after their arrival in Australia the denial of work rights, welfare support and access to Medicare whilst waiting for their visa application to be processed. The fact is that there are many legitimate reasons why an asylum seeker may not lodge a protection claim within 45 days of arrival in Australia, such as being given the wrong information by family and friends, having limited English skills or lacking an understanding of Australia’s immigration rules and processes. The coalition are attempting a return to a system where asylum seekers are dependent on charities for basic survival—a system we do not have to, and should not want to, return to.

This draconian policy, introduced by the coalition to ‘prevent extensive abuse of the refugee processing regime and limit the making of vexatious claims’ has resulted in many asylum seekers living in conditions of extreme destitution, with social isolation a common occurrence. This has meant that their basic mental and physical health has been impacted upon. Many key refugee and asylum seeker advocates have highlighted the serious effects on the mental and physical state of asylum seekers who are unable to support themselves due to the current imposition of the 45-day rule. The imposition of
this rule has meant the deterioration in health of asylum seekers and a complete dependence on charities, churches and community groups for basic day-to-day living requirements while their application is being processed.

When this policy was introduced the Howard government simply accepted that other people would carry the can, that other people would offer the support and assistance that these vulnerable human beings needed, and that, for some reason, it was not the role of the government, who had signed up to the UN refugee convention. The Australian Human Rights Commission, in evidence to the Joint Standing Committee on Migration’s inquiry into Australia’s immigration system, stated:

... the [current] conditions and restrictions attached to some bridging visas may significantly impact on the ability of asylum seekers and refugees to exercise their basic human rights, including the right to work, the right to social security, the right to an adequate standard of living and the right to the highest attainable standard of health.

Is this really a policy that we want to retain? Is this really the type of immigration policy we should be proud of? I think not.

Statistics prove that there is a higher visa grant rate—that is, around 36 per cent—among asylum seekers who have applied after the 45 days than those that have applied within the 45-day limit, which is at 20 per cent. This clearly puts at rest the argument from the opposition that there is some link between the time that a person lodges the protection visa application and the merit of their claim. That argument is clearly false.

Last year the joint standing committee also heard from the Hotham Mission’s asylum seeker project. The Hotham Mission gave the committee an example of a client that has been affected by the imposition of the arbitrary 45-day rule. According to the Hotham Mission, their client, who has a master’s in social work, was not aware of the 45-day rule when he arrived here. So clearly it was not a deterrent. He has subsequently been denied the right to work for three years. The mission said:

His mental health has deteriorated because he frankly has nothing to do and he is living on $33 a week.

This is despite the fact that he is willing to work, willing to be a participant in his local community.

He has recently been linked into mental health services and has been deemed unable to work due to his mental health issues. If he even does get a visa now he will be a greater cost to the community than he would have been if he had been allowed to work.

So is this really a cost-effective policy in terms of monetary cost or social and human impact? Clearly it is not.

While the Asylum Seekers Assistance Scheme can provide some financial assistance, having no permission to work and being reliant on welfare and other support networks that may or may not be easily accessible does cause substantial alienation and psychological problems for those asylum seekers awaiting their visa resolution. Why would the coalition want to put more hardship and stress on a group of individuals that have fled dangerous and traumatic circumstances in their home country simply in search of a better life? It beggars belief that we are being told by the coalition that these people should not be able to go and get a job, work, sustain themselves, prove that they actually want to start a new life and participate in the community. We need to be looking far beyond the ignorance that is currently being spewed from some of the members of the coalition.

Placing punitive work, health and welfare restrictions on those seeking our protection is an abhorrent policy, and we as elected par-
Chamber

liamentarians must not allow it to continue any longer. I commend the Minister for Immigration and Citizenship—this is the second time today that I have commended the minister—on moving to a more humane approach. In this aspect he has stayed true to Labor’s 2007 election promise, where they clearly stated that they:

... recognise the arbitrary 45-day-rule results in legitimate asylum seekers on bridging visas being unnecessarily denied the right to work while their claim is being processed.

So good on the government for actually standing by at least one of their election promises.

After the Senate today voted historically to overturn the appalling policy of detention debts, the coalition still have the gall to come in here and argue that this rule should not be overturned here. They are clearly out of touch with what the Australian community thinks is acceptable, humane and fair. It is time for them to step back and perhaps rethink where their party is sitting on these issues, because they clearly are not in touch with the Australian public. It just highlights over and over that there is a lot of cleaning up to do in the coalition ranks. This disallowance motion is just another example of the regressive immigration stance that the coalition continues to advocate.

We have moved beyond the days when people turned a blind eye to locking children in detention, to vulnerable people sewing their lips together in the middle of the desert. We have moved beyond that. Let’s keep moving forward. Let’s keep moving towards becoming a country with a reputation that we should be proud of. We have now abolished detention debts—fantastic. Let’s not go back to a place where we think that vulnerable people should be left to beg for the support of charitable organisations because the government does not want to take the responsibility that has been clearly outlined in our obligations under the refugee convention.

I should note that none of the unfair, inhumane and punitive policies on asylum seekers that have been implemented—such as the 45-day rule, the temporary protection visa regime or even detention debts—has ever been shown to be an effective deterrent to people seeking asylum. Why is that? Because when people are desperate for freedom and protection of their families it does not matter what is written on the government’s website or whether the Australian government has overturned or accepted a disallowable motion of a particular policy. Desperate, vulnerable people will always seek protection and freedom for themselves and their families. And it is something that we, as Australian citizens and as parliamentarians of a country that advocates for fairness and justice, have a responsibility to uphold.

What happened to the Australian fair go? It clearly disappeared—it was dissolved—during the 12 years of the Howard government. Let’s not go back there. Let’s move forward. Let’s ensure that we become the compassionate, humane nation that we desperately want to be.

So, the entire basis of the coalition’s argument that we are seeing an ‘influx’ of ‘illegal entrants’ due to the removal of these policies is clearly redundant. What should be noted, however, is that the existence of these punitive policies has been not only a blight on Australia’s international human rights reputation but also a clear breach, as I have pointed out, of our international human rights obligations—a claim that is supported by organisations such as the UN Human Rights Committee, the UNHCR and the Australian Human Rights Commission.

The Greens, as I said right at the beginning, have been advocating for years for this unfair regime to be removed, and I hope that
the Senate will see sense, as it did earlier today, and quash the attempt of the opposition to continue to keep this oppressive 45-day rule regime. I would like to stress, as I did at the beginning of my contribution, that the Greens do not, and never will, accept any attempts to turn back the clock to the dark days when we locked children in detention and threw away the key, to the dark days when we thought it was okay for the person in the highest office of the land, the Prime Minister, to demonise the world’s most vulnerable people. The Greens will not allow that to happen. We must get rid of this 45-day rule, and there is absolutely no way we will be supporting the coalition’s scare campaign and voting for this motion. We will absolutely not do that.

Senator TROETH (Victoria) (6.25 pm)—Our vote on this regulation today will not change the country. It will not pave new highways, fix our hospitals or build more schools. But it will show that we are a nation of compassion by righting a wrong that is causing needless suffering to people in our country.

These regulations amend the Migration Regulations 1994 to abolish the 45-day rule for some bridging visa subclasses and make new provisions such as for the right to work, income support and access to Medicare. Introduced in 1997, applicants must have applied within 45 days of arriving in Australia or relinquish their right to work, access to Medicare and funding for torture and trauma counselling.

It has been estimated that 40 per cent of these applicants do not meet this deadline due to poor English skills or the lack of, or incorrect, information given by well-meaning but badly-informed family or community members. Unable to work to support themselves, asylum seekers are forced to rely on the charity of churches and community groups for financial support, food, and, as many live out in the community, assistance with accommodation.

The American Vice President Hubert Humphrey once observed that compassion is not a weakness and concern for the unfortunate is not socialism. It is not a mark of pride for this parliament that successive governments have devalued these principles in the administration of this policy. The shameful burden placed on churches, community groups and benevolent individuals by this policy is incompatible with the indelible concept and revered national tradition of the fair go.

Beyond our shores, this policy seriously undermines what should be Australia’s commitment to the highest standards of international rights. As a signatory to the 1951 Convention on Refugees, Australia has an obligation to provide essential living necessities and adequate health care for asylum seekers living within our territory. We are also committed to treaties that require their member states to ensure asylum seekers have the right to seek work and somewhere to live. They include the United Nations High Commission for Refugees—ExCom, 2002—and article 24(1) of the Convention on the Rights of the Child, which requires:

States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

The International Covenant on Economic, Social and Cultural Rights states:

The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

These changes not only epitomise Robert Menzies’ conviction that a strong economy is the best form of social justice but demon-
strate that real social justice can build a strong economy.

In 2005 the Uniting Church’s Hotham Mission Asylum Seeker project surveyed 211 asylum seekers living in Victoria and New South Wales who did not have work rights or Medicare access. Among those surveyed; 74 per cent had skills recognised on the skilled occupation list for the General Skilled Migration program occupations. They included engineers, teachers, tailors, social workers, computer programmers and agricultural scientists. Of those listed on the skilled occupation list, 45 per cent had skills that were considered in high demand, and the majority of those surveyed were willing to work in rural or regional areas. In particular, the research found that the cohort of 211 asylum seekers who undertook the skills audit would have potentially added up to $26 million to the Australian GDP over a three-year period. More broadly, it was estimated that, if 75 per cent of the population of asylum seeking bridging visa E holders obtained minimum wage employment, it would still add over $75 million dollars to the economy over three years.

The Liberal Party is having an important conversation with history on how we treat those who seek refuge within our shores. In the 1980s, we wrestled with the great economic debates of the century and emerged with a renewed commitment to an open, free market. Enabling people who are willing and able to work, who ask not for welfare but for self reliance, to sustain themselves is intrinsic to what we believe as the party of not just Menzies but Howard as well.

Today, as we hew a new path to government, the Liberal Party must arrive from our deliberations having found a confidence in our ability to defend our borders without closing our hearts. The Liberal Party has a proud story to tell on immigration, but both parties over the last 50 years have written some bleak chapters too. We find our genesis in Harold Holt’s dismantling of the White Australia policy and in Malcolm Fraser’s welcoming of Vietnamese refugees that not only made Australia’s migrant intake truly multiracial but turned the abolition of the White Australia policy into a practical reality. In 1999, the former government rightly provided Australia as a beacon of safety for 4,000 Kosovars and for 1,500 East Timorese fleeing conflicts in their respective home countries. But it also introduced legislation that had no place in the contemporary nation we aspire to be.

Debates on the plight of asylum seekers in Australia too often invoke the defence that we ought not send the wrong message to those who seek shelter within our borders from tyrannies abroad. Let us grasp a new opportunity to understand the difference between sending the wrong message to those who truly wish us harm and sending the right message to those who need our help. Australia does not have to choose between strong, secure borders and compassion for those seeking liberty and freedom. We can have both.

Many of the people seeking to reach our shores do so as a result of their flight from tyranny in places such as Afghanistan. Australia has sewn together a rich tapestry of multiculturalism. The challenge now is to weave our future as a country big enough to recognise misdeeds and small enough to administer changes that work. The changes to these regulations mark an important step that should be supported by the whole parliament. And there should never be opportunity found in human misery; there should be a united determination by all who take their place in this parliament to conquer it jointly.

Today we talk a lot about respect—respect for oneself, respect for one another. We talk
about respect where we see the demise of community and often of family too. Menzies’ *Forgotten People* speech applies just as well today as it did in 1942. Where Menzies ex-tols a society not reliant on government for bread or ideas, today we vote to give people the right to work, not just to sustain them-selves but for the self-respect that work brings with it. Perhaps through this small token of generosity, the righting of a wrong, we can inspire a renewed respect within in-

dividuals, families and our communities and we can respect ourselves as a nation of true generosity to those who need it most, and who want most to give it back. 

I commend to the Senate these amend-
ments moved by the government.

Senator CHRIS EVANS (Western Aus-
tralia—Leader of the Government in the Senate) (6.34 pm)—I rise to oppose on be-
half of the government the disallowance mo-
tion moved by Senator Fierravanti-Wells. The government moved to reform work rights arrangements for asylum seekers as a result of approaches by many community activists and community organisations that have to care for asylum seekers living in the community who do not have access to work and therefore have no income and, often, are destitute. As a result of that destitution, as I say, service organisations have to try and support them. 

These are people who are lawfully in the community. In this debate again we have confusion between lawful and unlawful boat or air arrivals. These changes do not apply to unlawful boat arrivals. So all these argu-
ments about weakening border security et cetera are a complete nonsense, a complete furphy, continuing a drum roll of disparaging refugees and creating fear in the community. These changes do not apply to unauthorised boat arrivals. Those people are mandatorily detained and they are only released into the community after they have had health, iden-
tification and security checks. The vast ma-

jority of people we are talking about here are people who are lawfully in the community, who have arrived on another visa and are living in the community while they pursue their protection claims. Most of them arrive at Sydney airport on a commercial plane with a valid visa. Senator Fierravanti-Wells rightly quoted what Minister Ruddock was talking about when the changes were intro-
duced in 1997. But we have to be clear about this. This is not about unauthorised boat arri-
vals. What it is about is a group of people who arrived legally in this country, who are living in this country and who are applying, as they have the right to do under interna-
tional law, to seek our protection. 

While they seek our protection, the issue at question is: should they or should they not have the right to work and support them-

selves? Under the Howard government—and the existing conditions until 1 July this year, when the government changed these regula-
tions—two-thirds of those people were enti-
tled to and allowed to work but a third of them were not allowed to work. They are mainly the people who are caught by what is known as the ‘45-day rule’. So this is not a question of great principle, it is not a ques-
tion of border security and it is not a question of opening the borders to unauthorised arri-
vals; it is about evidence based policy. We have had since 1997 to assess the suc-
cess or otherwise of the 45-day rule and we have found that circumstances have changed. We are now dealing with a different situa-
tion. The previous government introduced the 45-day rule in order to put a time limit on people seeking a protection visa. In other words, the theory was that if they had not applied for a PV within 45 days they would lose the right to work and this would provide an incentive for them to seek a PV. The logic of it was not too bad; it was worth a try.
Also, quite frankly, it was driven by the real problem at the time, which Senator Fierravanti-Wells is well aware of—that there were advantages for people in delaying the whole process. They could delay applying for a PV and use a range of appeal rights to delay the processing. But what the previous government did, following that, was speed up the processing by the introduction of the 90-day processing rule and a lot of that problem went away. We have a situation now where 79 per cent of applications are finalised within three months. When this was introduced, only 25 per cent were finalised. The problem has changed. Senator Vanstone did some work on how we might improve the system and when I became the minister I inherited a report commissioned by her.

The question before us then is whether we continue to deny a group of people who are legally in the community the right to support themselves, the right to have self-respect, to work and to feed and clothe their kids—whether we say to them that they have got to be destitute and live off scraps from charities—while we allow them to exercise their legal rights. You have to ask yourself, ‘Why would we punish them and deny them the right to work and force the Hotham Mission and others to support them?’ It does not make any sense. In fact, we know that more people who have been affected by this rule are actually found to be owed protection than those who apply within the 45 days. It just does not make sense any more. If it did make sense it certainly does not now. We know that a lot of people are destitute in the community.

As a result of the changes initiated by the previous government, when they did the community care trial and the case resolution trials, we have also learnt that you have better results at resolving people’s status and better results in getting them to return home if you treat them with respect and manage them in the community. Locking them up did not work. That is why we had long-term detention. For this group of people, who are lawful, if they are treated with respect, allowed to work, allowed to save some money and allowed to treat their kids appropriately and support their families we have had much better success rates—and the previous government had much better success rates; it was a Howard government initiative that I am looking to expand—at getting people to return. They will understand where they are at and that they are not going to be allowed to stay in Australia and will return voluntarily. It is about treating people with respect and allowing them to make proper decisions, while having an understanding of all their circumstances. The Howard government are to be congratulated for those initiatives. What we have done is seek to expand them and ensure that we treat people with respect.

But I reinforce—and I will not cover some of the ground because of the shortage of time and also because Senator Hanson-Young and Senator Troeth addressed the arguments better than I could—that this is not about unauthorised boat arrivals. This is about people who are legally in the community who came in on visas and are allowed to apply for protection under our law and international law. It is a question about whether we let them work and support themselves or let them starve and rely on charities to look after them while that process occurs. I am all for strong integrity in the immigration system. I am all for saying to people that they have had their chance and, if they failed on their PV application, they have no right to stay here and they have got to go. I am working hard to make sure our compliance arrangements are improved so that people who are found not to be owed our protection are removed or encouraged to go. But the success of encouraging them to go has been much higher when they have been managed out in the commu-
nity and when they have their dignity and self-respect, and that is enhanced by the capacity to work.

We are talking about perhaps 600 people in addition to those already allowed to work. Early indications are that we are seeing a slightly increased number of people seeking work rights. But what we are doing is ensuring that we do not have that arbitrary 45-day rule and that we assess people’s circumstances and say to them: ‘If you are lawful, if you are cooperating with the immigration department and if you are looking to resolve your status you will be allowed to work. If you do not play the game, if you are unlawful, if you are working without permission, if you are engaged in any activity contrary to your visa, there will be no sympathy. Play the game and you do not get the benefit of that consideration.’ That is the system we put in place.

The 45-day rule was arbitrary. If you applied after 46 days you missed out on work rights, with no discretion. It is crazy. There are all sorts of reasons why people might apply after 46 days rather than before the 45-day cut-off. For instance, for many of them the circumstances in the country they came from may have changed. If there is suddenly a civil war in a country they may apply for protection and may be successful whereas they would not have been earlier in the piece. So there are good reasons for people failing to meet the 45-day rule other than trying to delay their processing.

I will not go further because I know we are short of time and I think it would be good to get this matter resolved tonight. We think these changes are positive. We think they are working well so far. We think they are responding in an evidence based, risk management approach to the reality of PV applicants who are living in the community lawfully now. It treats them more fairly, it gets us better immigration outcomes and it removes the arbitrariness of the 45-day rule, which was introduced to solve a problem that no longer exists. We think this is good public policy. It is not about some of the emotive debates that we have again had about unauthorised arrivals, boat people, sending signals about softness and all that terrible rhetoric. Look at the case here: it is about good public policy, improving the conditions of those who are lawfully here seeking asylum, but, equally, it makes it clear to them that if they fail in their claim for protection they go home. It is a system with integrity. It treats people with respect and with dignity and does not insist on them being destitute. But, also, it is firm in the message that, if you are not found to be owed that protection once your case is resolved, you go home. The system we have introduced is better and I urge the Senate to reject Senator Fierravanti-Wells’s disallowance motion on behalf of the opposition.

Senator FIERRAVANTI-WELLS (New South Wales) (6.45 pm)—I would like to make a couple of quick comments in reply. I will not reiterate the points I made except to say—and I take the points that the minister made—that assistance is provided, as we know, to asylum seekers through the Asylum Seeker Assistance Scheme and, once the asylum seekers have received a decision from the Refugee Review Tribunal, they are no longer eligible for assistance.

The reality is that we now have, and we are increasingly seeing, people who see Australia as a place they want to come to and to stay in. I take the minister back to the reasons for the 45-day rule. The 45-day rule was introduced to deal with those claims that are put in by people who, as the minister says, legitimately come here with a visa but then decide to claim refugee status in Australia. The prolonged litigation, which I have per-
personally seen over the years, really under-
mines public confidence in the system, and
there is a legitimate question about it. I say
to Senator Hanson-Young that there are some
people in the community at the moment who
not only are doing it tough and are unem-
ployed but have a legitimate expectation that
people who abuse the system will not be af-
forded additional rights. I say to the Senate
that those people are entitled, can I say,
Senator Troeth, to have their views articu-
lated in this place, not dismissed in some
manner, as you, Senator Hanson-Young,
have sought to do today.

I conclude my comments by saying that
there are concerns. We will be looking to see
that abuses of this system do not occur like
they occurred in the past and that the drop-
ning of this rule does not result in bogus
claims. We will see, Minister, what the ulti-
mate result of this is.

Question negatived.

**DOCUMENTS**

**Consideration**

The following government documents ta-
bled earlier today were considered:

- **Airservices Australia**—Corporate plan 1
  July 2009 to 30 June 2014. Motion to take
  note of document moved by Senator Parry.
  Debate adjourned till Thursday at general
  business, Senator Parry in continuation.

- **Australian Radiation Protection and Nu-
  clear Safety Agency**—Quarterly report for
  the period 1 April to 30 June 2009. Motion
to take note of document moved by Sena-
tor Parry. Debate adjourned till Thursday at
general business, Senator Parry in contin-
uation.

- **Defence Housing Australia**—Statement of
  corporate intent 2009-10. Motion to take
  note of document moved by Senator Parry.
  Debate adjourned till Thursday at general
  business, Senator Parry in continuation.

- **Sydney Airport Demand Management Act
  1997**—Quarterly report on the maximum
  movement limit for Sydney Airport for the
  period 1 April to 30 June 2009. Motion to
take note of document moved by Senator
  Parry. Debate adjourned till Thursday at
general business, Senator Parry in con-
    

General business order of the day no. 4 relat-
ing to government documents was called on
but no motion was moved.

**ADJOURNMENT**

The **ACTING DEPUTY PRESIDENT**
(Senator Barnett)—Order! There being no
further documents, I propose the question:

That the Senate do now adjourn.

**Battle of Fromelles**

**Senator MARK BISHOP** (Western Aus-
tralia) (6.50 pm)—I have spoken a number of
times during the adjournment debate about
those missing at Fromelles in northern
France. As those listening will recall, it is at
Fromelles that mass graves have been more
recently discovered. Original estimates were
up to 400 Australian and British dead from
that horrific battle on 19 July 1916. I will not
recount the detail but, as we are all aware,
recovery of those men has now moved to a
fairly advanced stage. The estimate is closer
to 300, with 222 already recovered. It must
be said at the outset that this has been a
rather magnificent feat. We have not seen its
like since the war finished on World War I
battlefields. As with the final recovery of
those missing in Vietnam, now also recov-
ered, this has been achieved in the face of
stiff bureaucratic scepticism and resistance.
Now, of course, those tasked to do the recov-
ery will be bestowed with plaudits. As is
said, success has many fathers.

The real credit, though, goes to those who
persisted year in and year out. In particular, I
would like to acknowledge two people: Mr
Jim Bourke and Mr Lambis Englezos. Both
these fine Australians persevered where
many others would have been defeated. The
pity is that throughout their persistence they have been denigrated as troublemakers and cranks. As far as I am concerned, they are nothing other than national heroes. The credo that we look after our own has had at times a very hollow ring to it. The corollary should be: when we are shamed into doing so. Putting that aside, we are grateful for the success of these two men and for the support that they eventually received.

At Fromelles, the recovery is nearing completion. The new cemetery near the local church is well advanced. The site faces north-west, across the former battlelines and to the right of the current site of Pheasant Wood. The completion date of 19 July 2010, in time for the formal ceremonial funeral service, is clearly achievable. The Commonwealth War Graves Commission, with the support of the British and French governments, has done very well indeed. I understand that after remains have been sampled for DNA they will be buried in graves marked ‘Known only to God’. When identities are matched, headstones will be replaced with appropriate names and family inscriptions. This is the practice now when bodies are found and identified.

We know that sampling of the skeletal remains has also commenced. There seems to be some confidence that the anthropological work has been able to distinguish a large number as Australians. The proximity of badges and other material clues with the remains have made this possible. Further, we have been informed that the DNA sampling has also commenced and that testing is about to begin. This follows the conclusion from a sample of remains. An agreement between governments was made for the purposes of assessing the viability of DNA testing and ascertaining whether it is indeed practical. We are also cautioned that the varying conditions of the burial pits will result in equally varying ability to extract viable DNA. It was found during the preliminary excavation that some of the burial pits were very wet and others much drier. Therefore, the effect on the clay is likely to result in quite different outcomes. Inevitably, it seems there will be some disappointment. Of course, not all remains will be identified. While 1,400 people have registered on the Defence website as potential DNA matches, it seems the success rate might be quite small. Nevertheless, the important fact is that matching has become a commitment and it is now up to the DNA specialists.

There has been one disappointment in this process from beginning to end, as I have watched with close personal interest, and that is what seems to be the most petty jealousy between the academics and associated interests. The origins of this seem to me to have been the awarding of the original trial excavation contract to Glasgow University Archaeological Research Division, or GUARD. This was managed by both the Australian Department of Defence and their British counterparts without tender. While tendering guidelines may have allowed for this, inevitably it upset opposing competitive interests. The campaign of derision from the unsuccessful tenderers continued throughout that contract, with tame journalists in tow. It persisted even after the successful results were released. The great irony was that when the contract was finally let for the recovery task the critics won. With a contract much bigger and more extensive, the critics from Oxford and their previously very vocal associates won. The boot, as they say, was on the other foot. Surprise, surprise—what we have seen in the media in recent weeks has been a counterattack by the Glasgow supporters, alleging all sorts of shortcomings. The key evidence has been attributed to a Belgian who is not even an archaeologist.

All of this criticism has been denied and by the most respectable of relevant experts.
The project seems to be very successful and on track. We can only suggest that the media stories might be a case of sour grapes—really a great pity, as all those with a deep interest in this project have to date behaved with impeccable professionalism. I do not wish to buy into arguments, as they seem to be ill-informed to some extent. At the behest of the current successful interest group, this made for good news material. The pity is that the controversy has trivialised what has been, from beginning to end, an outstanding and difficult project. This is, after all, a matter of great national consequence. Over 60,000 Australians died in World War I. A further 60,000 are said to have died as a result of their injuries and illness in the 15 years after 1918. The controversy between these rival camps of archaeologists is therefore demeaning and disrespectful. It might make for a good short-term headline for the journalistic hack but ultimately it is offensive and embarrassing.

This has been a project followed carefully by many Australians with a keen interest in the topic. It includes all those descendants who might eventually find out where their great-uncle or grandfather lies in peace. I certainly look forward to further news of the recovery being completed. I also look forward to hearing about the progress of the DNA testing and matching, and the commemoration on 19 July next year at Fromelles. I encourage those who are not aware of this project to log on to the website at media@CWGC.org. There, the latest news is available, and the website is regularly updated. Again, may I commend all those who brought this project to its final stages. May I also say how pleased I am to have been associated with it in some small way.

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Colac District

Liberal Candidate for Corangamite

Senator RONALDSON (Victoria) (6.58 pm)—I rise tonight to raise an issue of such significance to the people of Colac, in Victoria, that 4,479 people signed a petition calling for action. The petition was presented to the Senate today and has been incorporated in Hansard. This number of petitioners is remarkable in itself. What is even more remarkable is that the 4,479 signatures were drawn from a population of approximately 12,000 people. So what is the issue? The wording of this petition speaks for itself. It reads as follows:

To the Honourable President and members of the Senate in Parliament assembled:

The petition of the undersigned shows:

That the Colac district is in need of an additional pharmacy to service the needs of the community.

Your petitioners ask/request that the Senate:

Immediately call upon the Government to facilitate an additional licence to dispense medicine in Colac without further delay to improve competition, accessibility and choice for the members of the community.

By the standards of the Pharmacy Guild of Australia, you would need four pharmacies to service a population of this size in adequate fashion—one per 3,000 people. But in Colac today there are only two pharmacies, both of which are owned and operated by the same company. That means that Colac is 50 per cent underresourced when it comes to pharmaceutical services. So not only is there a pharmacy shortage problem in Colac; there is also a monopoly problem. As a result, there is a rising sense of dissatisfaction in the community.

One Colac resident, Mrs Jeannette Sell, was quoted in the Geelong Advertiser about her frustrations with the existing state of affairs. She said:
“People are sick and tired of waiting 40-50 minutes even longer.”

That is for a script to be filled. She went on to recount several instances when she was forced to wait two hours before she could pick up a simple dose of medicine.

Some people have responded to the situation by seeking their prescriptions elsewhere, but that involves a 20-kilometre drive to Birregurra, at least a one-hour round trip when one takes into account the stop at the pharmacy. Other residents have reacted in a quintessentially Australian manner. They have organised to make their voice heard, and what a loud voice it has turned out to be.

Over the past month, a group of determined Colac citizens has put together a petition drive. This classic example of grassroots democratic action has managed to collect those 4,479 signatures calling for a new pharmacy in town. As I said earlier, that is 4,479 out of 12,000 inhabitants. That is better than one out of three, a truly amazing result.

If those statistics alone do not convince the government of the strength of feeling in the Colac community about the pharmacy issue, allow me to tell you a few stories. Allow me to tell you about Ruth Spokes. Ruth is a long-term Colac resident. She was extremely ill when the petition drive commenced, but so strongly did she feel about the negative impact the pharmacy shortage was having on her community that she refused to be admitted to hospital until she had delivered the petition to businesses throughout the town. Because of this self-sacrifice and dedication, Ruth was forced to spend more time in hospital than originally planned. I am happy to report to the Senate that she is doing well. There is also a silver lining to the cloud of her prolonged stay in hospital: during her time on the ward, people recognised her and knew her role in the petition drive and asked her for copies of the petition sheets so that they too could collect signatures. All in all, these added numbers were a fitting tribute to Ruth, who celebrated her birthday in hospital—and I would like to take this opportunity to wish Ms Ruth Spokes a belated happy birthday as well as thank her for her drive and determination.

The moving force behind this classic example of grassroots democracy consisted of Ruth Spokes and Jeanette Sell, whom I previously mentioned, and their colleague Faye Roscoe. Together these three local ladies made a triumphant triumvirate that achieved an amazing success. Initially, Ruth, Jeanette and Faye each had 50 copies of the petition sheet, but so overwhelming was the public response that two of them were back for more within the first hour. In total, about 300 petition sheets were handed out on the first day alone.

One local business phoned at lunchtime on the first day of the petition drive to advise that their three sheets were already full. ‘Send us more,’ they asked, ‘many more.’

The same thing happened at the local milk bar, which saw three signature sheets filled within the very short space of two hours. One person stopped by to sign the petition and decided to take to sheet back to their place of business. After 90 minutes, an employee showed up with a request for more petition sheets because the first one had already been filled. People who came by the office asked whether they could sign on behalf of other people they knew who would support the cause. When they were told that was not permitted, they would take a petition sheet with them, returning it filled with signatures from neighbours eager for a new pharmacy in the town. Many of those who showed up to sign had a personal story to tell about their pharmaceutical trials and tribulations.
The number of signatures on this petition, as well as the speed with which they were collected, reflects the distress and dissatisfaction caused by the pharmacy shortage in Colac. This is a serious problem that disproportionately affects the most vulnerable elements of the Colac society—the sick, the infirm and the elderly.

The other person I want to mention in relation to this issue is the community’s local representative in the Victorian parliament, the member for Polwarth, Mr Terry Mulder. Terry is the very model of what a member of parliament should be. His vast local knowledge lets him understand the needs of his home community. The community came to him about this issue and he responded. His widely acknowledged grit and courage moved him to fight for local concerns. Terry is a real dynamo, who puts his community first—

Senator Cash—Why wasn’t he asked to lodge the petition?
Senator RONALDSON—The local member?
Senator Cash—The local member.
Senator RONALDSON—This is not a party political issue, but that is actually a very good question. Indeed—
Senator Cash—Who’s the local member?
Senator RONALDSON—The local member was actually asked to get involved in this—that is Darren Cheesman, the member for Corangamite—and failed to do so. As I say, this is not a party political issue, but I think there was significant disappointment in that regard.

The people of Colac need another pharmacy. The people of Colac deserve another pharmacy. The people of Colac even rate another pharmacy under the guidelines of the Pharmacy Guild itself. So let us cut the red tape and let us dispense with any bureaucratic excuses. Let us give Ruth Spokes, Jeanette Sell, Faye Roscoe and the 4,476 other signatories to the Colac petition the pharmacy their community so urgently deserves.

I note that I have still got a couple of minutes left, so I will not waste that opportunity. On a matter unrelated to the pharmacy issue, I will take the short time available to me to talk about the next federal member for Corangamite, Liberal candidate Sarah Henderson. Sarah is a local Geelong girl who made good as a journalist and business owner. Now she wants to take that knowledge and experience to Canberra, where she can use it on behalf of the people of Corangamite, and that will be quite a change for the better. The current Labor member, Darren Cheeseman, mistakenly thinks that his role is to serve as Canberra’s voice in Corangamite rather than as Corangamite’s voice in Canberra. He does not want to rock the boat. He is so fearful of his own Labor hierarchy that he always toes the party line, even if it is to the detriment of his own constituents. The people of Corangamite deserve to have a fighter for their interests in federal parliament who can complement the sort of willingness that people like Terry Mulder have to get into the trenches for them. When Sarah Henderson wins that seat in the next federal election, that is what Corangamite will get. As I said, I had a couple of minutes left and I thought I would add that to my comments about the Colac pharmacy.

Threatened Species Week

Senator McLUCAS (Queensland) (7.08 pm)—Threatened Species Week provides us with an opportunity to reflect on the importance of maintaining the full diversity of life on our planet; the opportunity to remember that connected landscapes are essential to supporting the retention of species across the range of bioregions that we have in this

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country. Tonight, I want to talk about the Wet Tropics of North Queensland. The Wet Tropics of Far North Queensland is a region of astonishing biodiversity. A region comprising 0.26 per cent of the Australian continent, it supports 35 per cent of Australia’s mammal species and 40 per cent of its birds. This very important landscape was recognised some 20 years ago by the United Nations through its addition to the World Heritage List. Those of us who were around then will remember that that was a very controversial move, but I can say that it is now accepted and welcomed by most, if not all, North Queenslanders. The area is also included in the Australian Heritage List.

Threatened wildlife in the Wet Tropics region include the southern cassowary, the northern bettong, and the mahogany glider. The two tree kangaroo species endemic to the region are considered rare. Frogs are a particular feature of the Wet Tropics. It is very sad that frog numbers have declined drastically over the last 20 years or so, victims of the worldwide disease known as the chytrid fungus. Ten species of frog in the Wet Tropics are now considered vulnerable or endangered. We know of no direct way to tackle this insidious fungal disease, so we must do all we can to limit other pressures on frogs by protecting and maintaining their habitats.

Over 2,800 species of plants are found the Wet Tropics World Heritage Area. More than 700 of these species are endemic to the region and are found nowhere else in the world. The Wet Tropics region is distinctive for the high proportion of primitive plant species, reflecting the long separation of these rainforests from others around the world. Around 350 plant species in the region are threatened as a result of their naturally very restricted distribution combined with the loss and degradation of their habitat and other impacts. I would like to go through some of those impacts tonight. The Wet Tropics rainforests exist in a thin sliver along the margin of an otherwise dry continent—it is a landscape under pressure. For many years it has been richly productive agricultural country, growing sugar, bananas and other tropical products. The development of these valuable industries has led to the loss of a large proportion of the tropical lowland rainforest. The coastal plain between Cairns and Townsville is now one of the fastest growing regions in Australia. The development of towns, tourism facilities and associated infrastructure is creating new pressures from the natural environments of the region.

The impact of this development is particularly being felt by the spectacular southern cassowary, an icon of the region. The combined impacts of habitat loss and fragmentation, road deaths, dog attacks and other pressures are a cause of great concern to those of us wishing to sustain a population of cassowaries in our region. Today, during this Threatened Species Week, the Wet Tropics Management Authority hosted a cassowary summit in Cairns. The summit brought together well over 100 people—in fact, 170 people attended—with an interest in cassowary conservation. The children from the Trinity Anglican School entertained the group with a play that they had penned, I understand, called ‘The Plight of the Cassowary’. Scientists, policymakers, land managers and community organisations joined together at this summit, breaking down barriers and promoting improved understanding of the threats to cassowaries and a shared view about what coordinated action is required in response. The information generated by the summit will help the authority and its regional partners develop new strategies to attract new investment in cassowary conservation. The cassowary is important in and of itself and also because of the connection that it creates between the human community and
the rainforest ecosystems in the region, which are themselves threatened. If we protect the cassowary, we will be protecting rare lowland rainforest ecosystems as well.

Another threat, of course, is climate change. Climate change creates additional pressure on this landscape, which is regarded by many authorities as particularly sensitive to a drier and therefore warming climate. Scientists from James Cook University have recently detected a sudden crash in the population of the endemic Daintree ring tail possum on Mount Lewis, west of Port Douglas. This population crash has been linked to the early effects of climate change and is cause for great concern. Other species, such as the rare golden bower bird, which inhabits cool mountain-tops, are also considered to be sensitive to climate change. We need more research to better understand the impacts of climate change in this landscape, but there is also an urgent need to start work in adapting to a likely increase in temperature and other climactic changes in the region. This means taking steps to improve the resilience of the forests by reconnecting fragmented areas and tackling pests and weeds that adversely affect forest health.

This week’s cassowary summit and other conservation programs on the Wet Tropics demonstrate the importance of regional leadership in conservation and land management. The Wet Tropics Management Authority, which coordinates Australian and Queensland government programs for the region, plays a vital leadership role in conservation of the Wet Tropics rainforest through planning, regulation, community engagement and research. Terrain NRM, the regional natural resource management body, provides leadership in sustainable land management across the agricultural landscape and is currently playing a leading role in the implementation of the Australian government’s Reef Rescue program. The Reef and Rainforest Research Centre coordinates the implementation of the Australian government’s Marine and Tropical Research Facility that funds research at James Cook University and in the CSIRO laboratories in Atherton, Townsville and Cairns. It helps to ensure research in the region is relevant and that findings are quickly made available.

These three small organisations with leadership drawn from our region play a vital role in threatened species management and merit our continuing support. Community based organisations in the region are also playing an essential role in threatened species conservation. One fine example is the C4 conservation group at Mission Beach. I was very fortunate recently to have the pleasure of reopening their refurbished visitor centre in Mission Beach. That centre not only orients tourists to the special values of the forest in the area but also creates a hub for a very aware and active local community, and I commend all the members.

The traditional owners of our area also share our concern for threatened species. The Girringun Aboriginal Corporation at Cardwell last year produced a DVD called No Wabu No Wuju No Gunduy—No Rainforest, No Food, No Cassowary, which tells the story of cassowary conservation from the perspective of Aboriginal rainforest people. The Girringun community are now participating in the Indigenous Protected Area program. The employment and community development outcomes that will flow from this show how caring for country can be linked to our national closing the gap goals.

The recipe for successful conservation of our threatened species is not really all that complicated. We must develop a thorough understanding of species, how they interact with their environment through high-quality research. We must identify and protect critical habitat for threatened species and, if pos-
sible, expand it and connect it within the wider landscape. We must identify and address critical threatening processes such as pests, weeds, inappropriate fire regimes and climate change. We must monitor our progress, learn from our mistakes and communicate our successes. Perhaps most importantly, we must be sure to involve our communities in this important work to maintain their support and to capitalise on their energy and knowledge. And finally, we must focus our limited resources on the places where they will have the most effect. The Wet Tropics of Queensland is an enormously important landscape within the Australian continent that merits our very careful attention.

**Building the Education Revolution Program**

Senator Barnett (Tasmania) (7.18 pm)—Tonight I stand to speak on the issue of the waste and mismanagement of the schools stimulus debacle and to say that the coalition is supporting a Senate inquiry into this debacle, to investigate the systemic issues of waste and mismanagement and, indeed, to consider measures to ensure value for money for taxpayers. I put forward the motion and lodged it today in the Senate, and no doubt it will be discussed and debated tomorrow.

It is for very good reason. First of all, the Primary Schools for the 21st Century program has been plagued by examples of waste, mismanagement and the lack of value for the billions of borrowed dollars being spent. People deserve to know if the government is squandering billions of dollars of their money especially when it is borrowed money. It is their money and it will have to be paid back with interest. So this inquiry will do what the Rudd Labor government refuses to do: to seek advice on how to address the systemic waste and mismanagement in the school stimulus debacle.

Of course all this is on the back of the waste, inefficiency and mismanagement that has plagued the Rudd Labor government. You have seen the GROCERYchoice website where they committed $13 million to the establishment of a website. This was on the back of the Prime Minister, Mr Rudd, promising prior to the election to lower grocery prices. Then when he came into government of course what did he do and how did he meet that commitment? He set up and budgeted for a $13 million website. After some time and after some concerns were raised, they finally closed it down. That is why there is a Senate inquiry into that particular matter, with the first hearing scheduled for Friday of next week.

You have seen the tax bonus payments where 16,000 dead people unfortunately have received $14 million. You have seen the 27,000 Australians—and in fact non-Australians as well—receiving $24 million of taxpayers’ money, and then you have seen the evidence that this Rudd Labor government is the highest spending government on consultancies in Australian history, not to mention broadband and other matters.

But with respect to education, we saw it all yesterday with the Australian Electoral Commission’s legal advice and their public statement saying that the Rudd Labor government is in breach of the law. They are in breach of the Australian Electoral Act. They confirmed that the government’s school signage and the display signs are political advertisements. It proves categorically that the so-called Building the Education Revolution has always been a political strategy, not an economic or an educational strategy. We know that Australian taxpayers are forking out more than $7 million to spread the government’s promotional efforts in primary schools—$3.8 million for mandatory signs at the front of schools and $3.5 million to erect plaques to commemorate the Hon. Julia Gil-
lard, the federal Minister for Education. How ridiculous! This is all shocking waste and mismanagement.

In my home state of Tasmania this issue has raised some considerable concern. We all know that the political signs will now have to be authorised, or indeed removed, at additional expense to the taxpayer. State groups in Tasmania have expressed concern and the Tasmanian State School Parents and Friends Association believes that it is a waste of money—‘wasteful spending’, they say. The Australian Education Union in Tasmania says that these signs should not take precedence over supporting students, and they are right. Why isn’t the Labor government listening?

The program to date has been plagued by waste and mismanagement. There needs to be some serious surgery on this part of the stimulus package. As Mr Pyne has correctly noted many times, it seems we have a part-time Minister for Education. Clearly, she is out of her depth. It is very sad. I also note that our leader, Mr Turnbull, has prosecuted the case today and publicly given his strong support for the motion to set up a Senate inquiry because of the waste and mismanagement in the rollout of the schools expenditure.

We have already seen a $1.7 billion blow-out in the primary schools program because it was poorly compiled policy and it was put together in a hurry. It was policy on the run. This is the hallmark of the Rudd Labor government to date—policy on the run. Under this program schools will get what they are given. Schools are being told what they will get rather than being asked what they need. There are a litany of examples all across Australia, and I will come to some of them shortly.

We have seen the skimming of these funds by the state governments all around Australia. They are allowed to take 1.5 per cent as an administration fee, but tens of millions of dollars more are going in ‘project management charges’. That is on the record.

What are some of the complaints that we have received to date? There are far too many to set out all of them in this Senate chamber tonight, but I will mention some. We have had hundreds of schools being forced to accept the ‘McSchool’ hall style demountables that are delivered on the back of a truck, irrespective of what those communities want or need. Why is that happening? We have had schools in some jurisdictions that wish to build new classrooms being told that they have to build a stock standard school hall, even when they already have one. What a shocking waste. The duplication is sinful.

Many schools are not being allowed to use local builders. This is a particular concern on the west coast of Tasmania. I have had feedback on this matter. The local builders have been snubbed in this process. I feel for them. They are missing out. They need those jobs; they need the work. They have been snubbed by this government. On the west coast of Tasmania and in many other parts of Australia they have been forced to use contractors from hundreds of kilometres away, or even interstate, at much greater cost.

In some states it has been revealed that schools due to be knocked down at the end of the year are receiving millions of dollars for refurbishment this year. There are examples of that not just in Tasmania but in many other states of Australia. I hope the Senate inquiry gets to the bottom of this so we can sort out exactly how we can do it better in the future so that taxpayers can get value for money. We should remember that all of this expenditure is with borrowed money—$315 billion, that is where we are headed. Australian taxpayers will be forking it out.
The state governments and state government approved contractors are raking in millions as costs to schools for their buildings spiral out of control. I have mentioned the project management fees, but what about the administration costs? They are increasing because of the appointment of project managers, who are charging as much as 10.5 per cent per project.

Going back to the signage in the schools issue, it is estimated there are 8,325 road signs worth $3.8 million, or about $295 each. I understand that that does not include the cost of erecting the signs. That is just for the sign itself. Of course, they will now have to be officially authorised, with a sticker or a repaint job, or pulled down because they will be within six metres of the entrance to a polling booth, based on the Australian Electoral Commission rules. Of course we do not know how all of this is going to affect the state electoral laws. There is an election in Tasmania scheduled for 20 March next year and there will be one in South Australia as well.

This has not been thought through. It is policy on the run. On top of that you have the plaques on the school buildings at a cost of $3.5 million, or $200 each. They are the memorial plaques in honour of the Hon. Julia Gillard. I find that disgraceful. We can see that there are a lot of examples of waste and mismanagement. I certainly hope that the inquiry is up and running as soon as possible.

There have been numerous allegations that projects are overpriced and schools are having projects imposed on them by the inflexible guidelines. We have had principals, teachers and builders—the very people who should feel supported by this so-called revolution—calling for a review of the requirements imposed on the schools by the scheme. This government can do better. It should do better. I hope that, as a result of this inquiry, we can make sure that taxpayers get value for money for their investment. (Time expired)

**National Child Protection Week**

Senator MOORE (Queensland) (7.29 pm)—‘It’s all white to say no!’ is the 2009 theme for White Balloon Day, the annual awareness campaign about child sexual assault that has been organised for 13 years by the wonderful Queensland based organisation Bravehearts. The use of the white balloon as a symbol for the issue of child sexual assault followed a public demonstration, which was covered worldwide, in Belgium in October 1996. Members may remember that that Belgian demonstration gathered with white balloons and white flowers as a mark of public sympathy and support for parents of several young girls who were murdered or missing at the hands of a released paedophile.

Bravehearts, the organisation which maintains the white balloon process in Australia, was founded in 1997. It aims to force a ‘movement for change’, engaging all our community, governments and the criminal justice sector, to give a real focus on sexual assault in our community. The founder and executive director, Hetty Johnston, joined with Minister Jenny Macklin, MPs, senators, sponsors and supporters at Parliament House on Monday morning to officially launch this year’s White Balloon Day.

As a central element of Child Protection Week, White Balloon Day encourages people to display the balloons and to wear the badges. It is really pleasing to see so many members and senators today wearing the white balloon badge. White Balloon Day works to promote the theme for the 2009 Child Protection Week which is ‘helping child abuse out into the open’. So often there is silence, fear and shame, which mean our most vulnerable children who are victims
keep their feelings hidden and do not share their fear and despair.

During the launch of Monday’s Bravehearts’ presentation there was a gut-wrenching visual display which showed images of young children and some of the artwork they used in therapy sessions. There were statements in childish handwriting, such as, ‘Keep me safe,’ ‘Be brave,’ and ‘I am not alone.’ These statements call all of us to give these kids a voice. We can share their pain and keep the issues out in the open. We know that the statistics are horrific. When you see that one in five children will be sexually assaulted before their 18th birthday, you know that we must take up this cause.

Part of this year’s Child Protection Week is to engage the whole community in a national survey which has been developed to ask Australians across our nation our views and our understanding of the issues around child abuse. This survey is now online. The challenge for all of us is to download this survey and take part in the process because we, as a community and a government, need to have effective data, statistics and evidence-based information to bring forward better policy. I know that Senator Bilyk will be talking about policy issues around this area in her contribution later, so I will not go into the issues that she will mention. But it is most clear that in the national framework, which has now been developed by the government to look at the issues of child abuse and neglect in our community, we need to have an effective evidence base. The results of the survey will be important in that process.

Bravehearts, the community organisation which I mentioned, was formed in Queensland in 1997 and it has a strong record. At the launch on Monday morning we heard from Hetty Johnston, who spoke most clearly and most painfully about her own experience. She became involved in this process because of a family issue; one of her children was sexually assaulted. As a mother, she explained how that affected her and her family. But Hetty, being Hetty, did not just keep her grief to herself; she took action. From that action was formed the organisation Bravehearts. As a Queenslander, I seem to have known Bravehearts forever because there has been a strong public focus.

Bravehearts now has a range of processes which they use, not just in Queensland but nationally, to raise awareness and to be a strong advocate for the issues around child sexual assault. On Monday morning we met Ditto, the very large cat who is the focus of Bravehearts’ activities with children. When we walked through Parliament House on Monday to be part of the launch, the young kids who were in Parliament House waiting for their school trips were drawn to Ditto. They came up asking questions about what we, and especially Ditto, were doing. With just that small group, we were able to talk about Child Protection Week and what the white balloon meant. They were interested. They were excited by the process and they were asking questions.

This is part of the Bravehearts method. We engage. Bravehearts are very well credentialed advocates and lobbyists for this issue. There is no government member—be it local, state or federal government—who is safe from Bravehearts. If they get you for a moment they will be talking with you about what you can do to take your part in what must be a wider community campaign. Their website is particularly effective, once again interactively engaging people because we cannot turn our backs on this issue. That is the focus of this year’s Child Protection Week activities.

When I looked at what was happening across my home state of Queensland, it made
me proud to see that, listed on the calendar, there are 14 pages of activities which are occurring this week all across the state; from Mount Isa to North Queensland to various parts of Brisbane and my own hometown of Toowoomba. There are activities which are making public the issues around children’s safety. They are getting people involved, once again drawing people from different backgrounds to think about the issues, to be aware of what is going on and to be there to ensure kids can feel safe and they have people they can turn to if they are afraid or if they fear they could be in danger. The same process also operates for families. As Hetty Johnston says, when a family is affected by this issue and a parent finds out that their own child has been a victim, that whole family needs support through that process.

This year’s Child Protection Week is calling on all of us to take action, to no longer allow these issues to be kept quiet or hidden, and to listen to the children who are working through their own pain. When you see the visual presentations of their own cries for help, their own ways that they need to be understood and supported and their own growing strength as they know that their issues have been acknowledged, we can then understand that these messages which have been out there for so long have actually reached an effective audience. The Australian government is proud, through our process of developing the national framework, to increase the involvement of all state governments as well as the federal government and to ensure that continuing funding goes into the process of support, and most importantly, into research about how we can do better and how we can grow our community.

I think sometimes it is too easy to think that these things happen to someone else. There is no place where child sexual assault can be ignored or dismissed. We have seen in the past that it is a little too easy to label. I want to put on record the comments of my friend Jackie Huggins, from Queensland, who said most clearly that child abuse is not limited to the Aboriginal community. We must as a whole community understand these issues better and take a role through Child Protection Week. If we can take one action in the next week, we can fill in that survey and be part of the evidence base around child protection in our community.

National Child Protection Week

Senator BILYK (Tasmania) (7.38 pm)—This week is Child Protection Week throughout Australia. This is an annual campaign that aims to raise awareness that the wellbeing and safety of Australia’s children is everyone’s responsibility. I rise to speak on the important issue of child abuse and neglect. It is not a pleasant subject but one that I feel passionately about and an area that we need to acknowledge and take action on to eliminate. In an ideal world, our children would be loved and protected by everyone. However, as we know, the world is far from ideal. As a result of this less than perfect world, many of our children suffer in many different ways. Tonight I want to discuss both the abuse and the neglect that take place but also some of the vital work that is undertaken to help prevent abuse and to help those children who have already suffered.

As this week is Child Protection Week, there are many special events taking place throughout Australia—as Senator Moore alluded to. Yesterday I attended a breakfast hosted by Bravehearts to celebrate the launch—as Senator Moore just mentioned in her speech—of the National White Balloon Day Campaign, to raise awareness of child sexual assault. One of the disgusting statistics we heard was that one in five Australian children will be sexually assaulted by their 18th birthday. These children are little peo-
ple; they are not just numbers. It is incumbent on us as adults and as politicians to do all we can to protect all children from this insidious crime. White Balloon Day sends a message to victims of child sexual assault encouraging them to break the silence that all too often surrounds these crimes and to let them know that they are supported and, most importantly, believed. Bravehearts offer comprehensive counselling and education for children and young people, along with parental support for non-offending family members and advocacy for adult survivors. They also invest in extensive training and research, developing strategies to help combat the complex issues associated with child sexual assault. I congratulate all those people involved in Bravehearts and commend them on their hard work.

We have all seen cases of abuse that make the front page of the newspaper or the evening news—including most recently the horrific story of the young American girl who, when only 11 years old, was kidnapped from a bus stop and subjected to years of abuse by her kidnappers. It is right that we are appalled by these incidents. However, we must be aware that they form only a small percentage of the overall abuse that occurs, because these are the ones where the perpetrators have been caught. How many do we not know about? We all need to remember that every child is important and each act of abuse is one too many. How frequent is child abuse in Australia? In 2008, over 30,000 Australian children were subjected to substantiated abuse or neglect. That is a disturbing statistic, as I am sure you will all agree. As I said, if you think about the number 30,000 and think of each digit of that number being a child then that is very sad. It is even more disturbing when you take into account claims that were unsubstantiated or not reported at all.

Another disturbing fact is that the 2008 figure is similar to the figure for the 2001-02 financial year. In the 2001-02 year, 27 per cent of the substantiated abuse involved physical abuse, 27 per cent involved emotional abuse and 14 per cent involved sexual abuse. In my home state of Tasmania in the financial year 2007-08, 807 individual children were removed from their homes, compared to 664 for the previous year. This increase can partly be attributed to the change in law taking place, where cases that previously would have slipped through and not been reported are being reported and recognised as serious and people are taking the necessary steps of intervention. In 2008-09, 2,424 notifications were referred for investigation compared to 3,269 in the previous year.

I would like to take this opportunity to congratulate the Tasmanian state government on moving in a positive manner to improve processes in the department to help improve the future of those Tasmanian children at risk. As part of the overall commitment of the Department of Health and Human Services to the health and wellbeing of all children in Tasmania, they have undertaken a project to redesign the Tasmanian family support service system with the expectation of improving early intervention and support. While the agency remains committed to providing safe placements for children affected by abuse and neglect, improved support is expected to effect an overall reduction in the number of children in out-of-home care. Risk factors identified as contributing to an increased number of admissions to out-of-home care for 2008-09 relate to alcohol and substance abuse, family violence and mental health issues. The diversionary programs provided through the Gateway and Integrated Family Support Service project will target appropriate supports to vulnerable families before placement in out-of-home care is re-
quired. It is considered that the introduction of the new operating model will continue to improve performance in managing the demand for child protection services.

Before I go any further, I must clearly explain what the term ‘child abuse’ covers. It includes both physical and psychological abuse. Physical abuse also includes sexual abuse. It includes deliberately hurting a child or neglecting them by not providing them with the food, clothing and shelter they should have—that is, that all children should be able to take for granted. Abuse and neglect also involve not catering to children’s emotional needs. They include allowing a child to witness violence within the family or community. Children who are abused are usually subjected to that abuse on more than one occasion. Abuse harms the child in the short term and all too often in the long term as they grow into adulthood. The emotional scars of being an abused child are with victims forever. Child abuse and neglect lead to hundreds of deaths each year, and that is alarming. How can this happen in our great nation?

Abused children are at increased risk of many problems. These include substance abuse as they grow older, homelessness, committing crimes, poor health, low education, poor employment prospects, as well as depression and suicide. People who are abused and neglected as children are over-represented in the prison population and for crime in general as well as in the low socio-economic category. On average, the number of Indigenous children abused is six times greater than the rest of the population. Every adult has a role to play in preventing child abuse. Every adult has a moral obligation to be actively concerned for a child’s welfare. In many cases, there is also a legal obligation.

Abuse can be obvious but it can also be subtle. In the cases where abuse is not easy to see, there are a number of factors that may point to abuse. Quite often the child’s behaviour changes. Younger children can regress or become fearful of going home, their school work and attendance rate can suffer and they might participate in risk-taking behaviour. The child might begin acting-out or have unexplained injuries. If you notice these sorts of changes, there is reason to be concerned, although, and I must stress this point, it does not necessarily mean that the child is being abused. But, even if some of the above changes do not take place, it is no guarantee that a child is safe. It is difficult to know whether a child is being abused; but, if you have genuine concerns about a child’s welfare, it is best to act. If you are wrong, at least you will know. If you are right, your action will help to put a stop to the abuse and bring those accountable for it to justice. As I have said previously, every adult has a responsibility to ensure that children are not abused.

Since coming to government, the Rudd government has developed the National Framework for Protecting Australia’s Children 2009-2020. This is an ambitious long-term national approach towards ensuring the safety and wellbeing of Australian children and has been designed to deliver a substantial and sustained reduction in child abuse and neglect in Australia. All Australian governments have endorsed the framework and are committed to implementing the initial actions it contains. I am grateful for the wonderful level of collaboration between Australian state and territory governments, along with the non-government organisations who realise that placing the interests of children first is more important than partisanship.

Only this week, the minister, Jenny Macklin, announced another important element of
the framework. The information sharing protocol started in January this year was initially between Centrelink and state and territory child protection agencies. This protocol formalises the processes for sharing Commonwealth information with child protection agencies, including the circumstances under which information can be requested and provided. Medicare Australia will now be involved in the information sharing protocol, which means that important medical information can now be shared. For example, if a child is placed into the care of a child protection agency, their medical and immunisation history and Medicare number can be accessed quickly and efficiently. Child protection authorities will be allowed to access a child’s history of doctors’ visits, and this will assist in detecting serious medical neglect cases. Working collectively to help protect vulnerable children and families is invaluable.

I particularly want to mention one other organisation that I have strong links with and that works tirelessly to educate people about child abuse and neglect. That organisation is the National Association for Prevention of Child Abuse and Neglect, commonly known as NAPCAN. The mission of NAPCAN is to advocate on behalf of children and young people and to promote positive change in attitudes, behaviours, policies, practices and laws to prevent abuse and neglect and to ensure the safety and wellbeing of all Australian children. NAPCAN works with all stakeholders to improve the lives of Australia’s children. Over the last 21 years, NAPCAN has distributed in excess of 20 million resources across Australia. The resources are highly valued by all who use them, and they are the professionals who are working with families, parents and carers.

Like any behaviour changing tool, NAPCAN’s resources are most effective when they are used with complementary interventions. NAPCAN’s theme for this year is ‘Walls protect child abuse, not children’—and I strongly agree. Unfortunately, there are real walls between us in our communities and they are the walls of fear, ignorance, denial and disinterest in regard to child abuse and neglect. It is long past the time to break down these walls and help bring child abuse out into the open. We need to act and we need to act now.

As I said, it is not a pleasant subject to talk about or even to think about—but think about helping children in need of our support. The safety and wellbeing of Australia’s children is everybody’s business. It is not just the responsibility of governments but a responsibility that should be shared by the whole Australian community—individuals, professionals, businesses and the media. As a first step, I call on all Australian adults—not just the people who have children, but everyone—to start thinking and talking about this issue to help solve this problem and to support the survivors and to help them tell their stories.

This morning, along with Minister Macklin and other parliamentarians and members of the public, I attended the launch of the National Association for Prevention of Child Abuse and Neglect national survey, the National Engagement Strategy. It is an online survey that aims to get as much information as possible from the broad Australian community about abuse and neglect of children. The start date for the online survey was 6 September and it will run through until 1 November. This date was picked to coincide with the start of National Child Protection Week. There are phone numbers that people can call if they do not have access to the internet.

This is the largest survey ever undertaken to look at Australia’s views on the abuse and neglect of children. The questions in the sur-
vey have been developed in consultation with numerous experts from around the country and are a key element in engaging the whole community to take action in the prevention of child abuse and neglect. We must bring child abuse out into the open and find effective ways to prevent it. A very important step in this process is understanding what Australians actually know and think about child abuse. As I said, a number of leading social researchers gave their time to work alongside NAPCAN to design and test this survey and, with a grant from the Commonwealth government and the Department of Families, Housing, Community Services and Indigenous Affairs, it has now been launched.

Across the country, business, government, community and media organisations are helping to promote the survey. In my home state of Tasmania I have sent a letter to all the local governments requesting that they help support people being engaged in undertaking this survey. Of course, individual responses will be treated absolutely confidentially. The results of the survey will be used to plan better and more effective ways to involve the whole community in the prevention of child abuse. It gives everyone—not just parents—a chance to take action. The more people that participate in a survey, the more accurate the results will be. This in turn will allow NAPCAN to develop strategies to move forward with prevention strategies.

As I said, I strongly encourage everyone and all politicians to participate in the survey. I would like to say a very big thank you to Maree Faulkner, the CEO of NAPCAN, who I know has worked tirelessly to ensure that this project gets underway. I checked the website at about six o’clock tonight and already around 2,000 people have participated. This shows a great willingness to support this very worthy cause.

As co-convener of PACAN—that is, Parliamentarians Against Child Abuse and Neglect—along with Senator Helen Kroger, I take more than a passing interest in the welfare of children. PACAN aims to raise awareness of child abuse and neglect by holding regular seminars with a variety of guest speakers. This year we have had Maree Faulkner from NAPCAN, Kerry Graham from the Inspire Foundation, members of the Australian Federal Police and Father Chris Riley from Youth Off The Streets to help us understand what is happening in our communities and to discuss strategies to help end these awful practices.

During the August sitting of parliament PACAN held a really successful raffle to raise funds and to help raise awareness. Over $3,000 was raised in the raffle and this money will be used for causes like financing trips to Canberra for guest speakers who would otherwise not be able to come. I would like to take this opportunity now to also thank the sponsors of the raffle: the Gem Centre, Inverell, Virgin Blue, Balloons Aloft Canberra, NatRoad and the Canberra Day Spa. I would also like to say thank you to all the people who bought tickets in the raffle and to the staff involved in helping sell the tickets.

As I said, child abuse is an important issue that every member of society needs to be aware of. It is an issue that is painful for everyone involved but it is one that we need to acknowledge as a real social problem. Everyone has a duty to protect our children; and, as I have said earlier, every child abused is one too many. We can all help by ensuring that children in our care are loved, respected and treated fairly. Australia needs to do everything possible to help prevent child abuse. We need to do all that is possible to ensure that those children that have been abused get the help they need to deal with their traumatic experiences. I commend all organisa-
tions and individuals who are working towards preventing abuse or helping rebuild lives that have been shattered. As parliamentarians we have a duty to lead by example. Let’s help draw a line in the sand and break the cycle of abuse.

Executive Remuneration

Senator CAMERON (New South Wales) (7.55 pm)—I rise on an issue that I have been interested in and involved in for many years; and that is the excessive salaries that are paid to executives both in Australia and overseas. I was keen to rise tonight on the basis of an article that appeared in the Mercury, the voice of Tasmania. The headline is, ‘Directors’ payout enrages workers’. ACL is a company that I visited several times in my previous occupation as National Secretary of the Australian Manufacturing Workers Union. It is a company that has had solid support from government, both state and federal, over many years. It is a company that has enjoyed a very loyal and productive workforce over the years. This company is now in receivership, with administrators called in on 26 August.

The employees attended a creditors’ meeting on Monday, 7 September and their union, the AMWU, estimates that the employees are owed about $30 million in entitlements. The company does not have $30 million and GEERS, the safety net scheme, will cover approximately $10 million of these workers’ entitlements. The issue that also arises is the treatment of the workers by this company and the treatment of the executives by the company. The report in the Mercury indicates that two directors, Mike Saward and John Capuano, received a total of $660,000 in redundancy payments at the same time the company was seeking federal government financial support last year. Workers had agreed to reduce their hours from 38 to 32 hours a week at the same time the directors were paying themselves redundancies.

These are workers on average weekly earnings. These are workers not on a high salary and for them to take a six-hour cut in their take home pay is a substantial sacrifice for them. But what we have here is what we see more and more of in this country—that the workers are asked to make a sacrifice while the bosses in the big end of town are not prepared to make any sacrifices.

That brings me to the Senate Standing Committee on Economics hearing into executive termination pay that I participated in last week. We had a hearing in Sydney. After being at that hearing into executive salaries I determined that I would make some comments about executive salaries and my long-term interest in trying to ensure some fairness and equity on executive salaries.

Some of the main points from the economics committee report are these. The real salaries of Australian chief executive officers have risen by an estimated 470 per cent since 1971 compared to 54 per cent growth in real average weekly earnings. CEO salaries have exploded in Australia. The bulk of this explosion in executive salaries has been in the last decade or so. Among ASX top 100 companies, between 2001 and 2007, average fixed remuneration of CEOs increased by 106 per cent. The fixed remuneration of the highest paid CEO increased by 335 per cent. Average short-term incentive payments increased by 283 per cent and average total remuneration of chief executive officers increased by 125.8 per cent.

Termination payments, irrespective of the success or otherwise of the executives, have followed the same trajectory. Some of the most egregious examples are: Owen Hegarty of OZ Minerals, $8.35 million, which was 6.42 times his base salary; John Anderson from Consolidated Media, $15 million,
which was 4.68 times annual salary; Kim Edwards of Transurban, $5.2 million—and in the following year the share price of Transurban fell from $6.60 to $3.91; John Ellice-Flint from Santos, $16 million; Chris Cuffe from Colonial First State, $32 million; and Sol Trujillo from Telstra, $3 million.

I compare that to the treatment of the ACL workers in Tasmania, who are struggling to get their base entitlements while the big end of town is rolling in the cash that should be building companies for the future, rolling in the cash that should be going out to shareholders and rolling in the cash that should be in the economy doing some good. It is absolutely disgraceful the way these executive salaries are out of all proportion to the input that these executives have to the companies that they are employed by.

One of the big problems that we discovered at the committee hearing was that executive salaries are set on the recommendation of remuneration consultants. There is an industry out there for remuneration consultants. Whereas workers in this country are told that comparative wage justice cannot be used to set a worker’s wage, comparative wage justice is the methodology that is being used by these remuneration consultants to ratchet up the wages of chief executives. The reason is that all of the wages are being set above the median salary. That is an issue for the boards of companies and the chief executives who are the recipients of these increases.

At the committee hearing John Colvin, the CEO of the Australian Institute of Company Directors, said:

Exactly. Comparative wage justice is just as strong at the top as it is anywhere else.

Well I have to say, John Colvin, comparative wage justice is not strong elsewhere. It is the big end of town which is benefiting from comparative wage justice. Peter McAuley, from the remuneration consultants Guerdon Associates, in response to the question, ‘Is there an element of comparative wage justice in there?’ replied:

That is probably a reasonable way to put it. It is also … impacted by competitiveness and availability of talent.

Professor David Peetz described this process as ‘asymmetric pattern bargaining’. The first asymmetry is that the bargaining is not designed to bring everyone up to a common mean but, rather, to a position above the mean. The second asymmetry is that there is no effective countervailing force at the table—the boards are ineffective in dealing with this issue. The third asymmetry is that the upward movement when times are good is not matched by downward movement when times are bad.

CEOs are effectively setting their own pay. Boards, selected on the recommendation of CEOs in consultation with other members of the executive class, hire remuneration consultants—also often chosen by the CEO—to recommend that the chief executive officer is worth more than the median salary, which itself is rising rapidly because it is never recommended that anyone be paid at or below the median.

The only constraint on executive pay is public outrage and the expression of that outrage in regulation by the parliament. There is no hard evidence or hard numbers to support claims for ever higher executive salaries. It is absurd that the executive class is the only labour market segment for which this is the case. The scope of the information available to shareholders so that they can make better informed decisions about executive remuneration and termination benefits should be considerably widened.

I have made a number of recommendations in my additional comments to the report. I feel strongly about giving sharehold-
ers, who will make non-binding decisions on remuneration as well as decisions in relation to termination outcomes, more information to make proper decisions about executive salaries. I have recommended that the manner in which the value of a benefit is calculated, whether or not the benefit is a payment or otherwise and whether or not the value of the benefit is known at the time of the disclosure, must be there for shareholders to understand.

Shareholders need to know whether the remuneration package that forms the basis of a termination payment was set as the result of advice from an executive remuneration consultant or similar entity. Shareholders need to know that this is not a scientific approach based on productivity or competence. This is about comparative wage justice and it is about remuneration consultants setting the barrier higher and higher in terms of these executive salaries.

Shareholders should also be told the quantum of the termination payment, expressed as a ratio of the executive’s normal weekly salary. It should not be a case of, ‘Well, they’re getting three years of salary.’ Ordinary workers have their redundancy provisions set out in relation to how many weeks pay per year of service. There should be a common measurement across this country. Then we will see that some of these executives are picking up about 50 weeks per year of service in their terminations, compared with a normal worker who, if they are lucky, might pick up two weeks per year of service.

Shareholders should also be advised of the nature and source of any and all advice received by the board or any board nominee in relation to the decision to award the benefit, and the determination of the quantum of the benefit. If the decision is approved by the general meeting, and it is based on advice from an outside consultant or other arms-length entity, shareholders should be told the value of any contract for service, for whatever purpose, between the company and that entity. Shareholders are entitled to know how much these executives and these boards are paying the remuneration consultants, who are setting the standards higher and higher for executive salaries in this country. There should also be a schedule setting out the formula used for calculating the termination payment during the term of the recipient’s employment with the company, and whether that was set at a level above or below the median remuneration of comparable employees in the industry or sector occupied by the company—and by how much.

There should also be a schedule setting out increases in the recipient’s remuneration during the term of the recipient’s employment with the company compared with movements over the same period in the company’s turnover, its profitability, its productivity, its return to shareholders and its capital investment. Why shouldn’t these executives, their salaries and their termination payments be measured against what we are saying ordinary workers should be measured against—that is, productivity, improvement in investment, return to shareholders and the turnover of the company? That is missing for the executive class in this country.

I have also laid out what I believe are a number of issues that the Productivity Commission should inquire into. They should inquire into whether there has been any social or economic benefit as a result of the growth in executive remuneration over the past 25 years. I fail to understand or see what social benefit there is for these massive executive salaries that do not apply in any structured or proper way in this country. I do not see any huge increases in productivity in terms of the executive salaries. When you measure productivity and growth, and when you measure executive salaries, you see that
executive salaries are rocketing ahead of growth in these indicators that everyone else in this country is judged upon.

I have asked Allan Fels and the Productivity Commission to also consider a range of key performance indicators against which increases in executive remuneration can be measured. I think it is incumbent upon the Productivity Commission, who lecture workers incessantly about the need for improved productivity and profitability, who use neoliberal language against ordinary workers, to start using some tests against executives in this country, whose salaries are going through the roof. I think there have to be performance indicators that set out what executive remuneration should be measured against at a national level, a sector level and an enterprise level. And the indicators should be published annually, to facilitate improved decision making by boards and by shareholders on executive remuneration.

The Productivity Commission should also be examining the role of executive remuneration consultants in facilitating spiralling growth in executive salaries, including their role in promoting comparative wage justice. I just think it is outrageous that workers in Tasmania cannot be guaranteed their entitlements and yet executives in the same company are plundering that company, in terms of their own wealth and their own remuneration, while asking workers to cut their hours, asking workers to take pay cuts, asking workers to be more productive. It is one rule for the executive class and another rule for the working class in this country.

It beggars belief that we are not making more of this and the issues that it raises, because if we do have this inequity continue then it will not just be an economic inequity in this country; it will be an ever increasing social inequity—and, when you have social inequity rising to such a level, you will have social dislocation. If we have this type of social dislocation that we see in other countries in Australia, that is not in the national interest. I take the view that sacrifice should be made—and it is not a great sacrifice to ask the big end of town to behave in a proper manner in terms of executive salaries. It is not a big sacrifice for the big end of town to be more open and clear in how they set their salaries and how they set their termination payments.

I am pleased the government has taken a first step—I hope it is a first step—to try and bring some reasonableness to executive salary termination payments in this country. I am proud that this government has taken that decision. Change can be made. It cannot just be to let the market rip. It cannot just be to let the executive remuneration specialists ratchet up executive pay continually in this country. Fairness, equity and justice demand that the parliament looks at this and actually says: enough is enough. The executive class in this country should actually be delivering something for the good of the country.

I challenge the Productivity Commission to tell the parliament in their report what social benefits have arisen from the massive blow-out in executive salaries in this country. I challenge Allan Fels to lay out a proper basis for a more visible and accountable process for executive salaries in this country. I am not arguing for caps; I am arguing for transparency. If it is good enough for workers to be transparent in terms of how they achieve their goals on the shopfloor, it is good enough for the big end of town. If it is good enough for workers to be transparent in terms of how they achieve their goals on the shopfloor, it is good enough for the big end of town. If it is good enough for workers to improve productivity, then it is good enough for the big end of town to be measured against increases in productivity. I am glad the government has taken that first step because I feel very sorry for all the workers who, due to the global financial crisis, are under immense stress and strain, and yet the big end of town are still
plundering the profits, plundering the shareholder wealth of companies. This has to be stopped and I think that there is a proper, strong and effective role for the Productivity Commission and the parliament in that process.

Special Species Timber Industry

Senator O’BRIEN (Tasmania) (8.16 pm)—I want to talk about an industry that does not receive much recognition anywhere in the country, certainly not enough in the state of Tasmania, where it is probably stronger than it is in any other part of the country, and that is the special species timber woodcraft sector. A good friend of mine, George Harris, and his colleague Peter Bennett have worked for some time to get a proper evaluation of their industry so that, for the public record, there could be an understanding of the industry, its size, its issues and its potential for the future. As George said, if abalone divers, vegetable growers or rock lobster fishermen wanted to work out what their industry was worth, it would be pretty easy to find out by the volume of production. Those industries are important in my state, and they are very valuable ones.

The understanding in the community of the special species timber industry has not been there so George and his colleague Peter Bennett together with others in the woodcraft sector were able to obtain funding to generate the production of a report. They did so following the outcome of the 2004 federal election, an election in which forestry in Tasmania was the subject of a considerable amount of debate. The area of forest that generates the special species timber is the older section of forest, commonly known as old-growth forest. Within the areas of public forest identified and set out for particular purposes there exist so-called special timbers management units, managed by Forestry Tasmania. In the main they are areas which are harvested on a selective basis and on long-term rotation. This is not always the case: in some areas clear-felling leads to the felling of minor species, or special species, timber together with eucalypt and other species.

You can see the areas on maps provided by Forestry Tasmania—I am told they are marked in red to identify special timbers management units—and they include areas in the Weld, west of Huonville; southern forests, west of Dover; the Styx, due south of Maydena; and the Florentine, due west of Maydena. Those areas have been, as those who have been following news reports of environmental activity will have seen, the subject of significant protest over the last four years. In the 2004 election there was something of a Dutch auction of Tasmanian forest interests and ultimately Mr Howard, who won the election, proposed locking up a further 170,000 hectares of forest. As it turned out, the Community Forest Agreement took nearly six months to negotiate and less than the 170,000 hectares were locked up. Even so, those special timbers management units were reduced in area from 143,000 hectares to less than 70,000 hectares. As I indicated earlier, it is evident that anti-forestry groups have not been silent for long since that election and there is a push to lock up more of the area of special timbers available in the Tasmanian forests for this industry.

Under such pressure, people such as George, Peter and their colleagues were keen for the public to understand the consequences of such action. People do not identify this industry with some of the important and very well respected industries that are generated by it. For example, there are not many people who suggest that we should close down the highly valuable wooden boat industry in Tasmania, and yet the wooden boats are made from these special species timbers. There are not many people who
would suggest that those who manufacture high-quality musical instruments from Tasmanian special timbers should have those timbers withdrawn, and yet those who want to lock up those areas of forest would, in effect, cause just such actions. Some very high quality pieces of furniture are manufactured from Tasmanian special species timber. These pieces attract very high prices and are valued all around the world.

So what is the industry worth to Tasmania? It is evident that Tasmania has a level of participation—at both a professional and a hobby level—at a rate above the rest of Australia. I am reliably informed that the cultural significance of woodcraft in Tasmania is reflected in the participation rate of 26 per 1,000 people. The national average is 19. But in terms of actual industry and jobs, you could look at this sector in three strata. Firstly, there are the people who mill and process the timbers. A report has been prepared by Creating Preferred Futures, a team of consultants, commissioned by a steering committee made up of woodworkers and Forestry Tasmania. It is entitled *A review of the Tasmanian woodcraft sector for the Woodcraft Guild of Tasmania Inc. and Forestry Tasmania*. It covers valuable timber, considered transformation and valuable objects. The report says that there are 31 identified milling and processing enterprises, employing approximately 160 people, the large majority of whom are full time. They are primarily employed in three large-scale mills which process 80 per cent of the state’s special species harvest by volume and 90 per cent of the blackwood. The estimated special species timber generated revenue for that sector is $17.25 million, and over 60 per cent of the milled product is sold nationally or overseas.

Secondly, there is the designing and production subsector. In Tasmania there are an estimated 250 enterprises, employing approximately 1,750 people, again mostly on a full-time basis. They are engaged in the production of furniture and joinery. There are large employers engaged in boatbuilding. There are also designers and small production object makers, some of whom may employ only one or two people. The estimated sales from this sector are of the order of $39 million. An estimated 30 per cent of the product based output is sold outside of Tasmania by the makers.

Then there is the retail subsector for the industry, which comprises galleries, retail outlets, tourist attractions, accommodation facilities and market stalls, with about 140 full-time equivalent positions, the majority being employed in galleries or retail facilities. The estimated turnover for that sector is $14 million. Visitors to Tasmania are the primary market for the sector.

With the reduction in available resource, the actual harvest in Tasmania has gone down from 1999-2000 levels, when it was about 22½ thousand cubic metres of these special species timbers, to 13,300 cubic metres in 2006-07, together with another 515 tonnes of craft wood. That means branches, stumps and material that is not able to be cut into conventional shapes and sizes for conventional production but is available for special turning, carving and craft work, generally speaking. So it is significant that the resource available to the sector has been reduced.

Paradoxically, the retail sector suggests that there is an opportunity to increase special species timber woodcraft sales. When you look at some of the issues surrounding it, it is clear that this is an important sector for not just the Tasmanian forestry industry but also tourism. For example, in 2007 Tasmania hosted 124,000 international visitors and 490,000 domestic overnight visitors. A significant number of those people visited mu-
seums or art galleries—about 50 per cent. It is higher or lower depending on the category. About 17 per cent of international visitors and eight per cent of domestic visitors visit art or craft galleries or workshops. Of the 83,000 cruise ship visitors who come to the state, about half browse to purchase in those sorts of craft shops. So there is a significant market opportunity. In 2007, international visitors spent an average of $470, while domestic overnight visitors spent $107, during their visit. In aggregate, that is a major opportunity for the Tasmanian woodcraft sector. It is significant that the retail sector believes that there is a great opportunity to increase the sales of product if the product is available. So here we have a vibrant sector, employing about 2,000 people and using a sustainable resource which is managed substantially on a long-term rotation, selective harvesting basis.

So is it worth it? What is the conversion rate of this product when we put it in the hands of the millers, the craftsmen and the retailers to, respectively, mill, create and sell it—after creating those jobs? The report gives some very interesting figures. For example, in the production of furniture, timber valued at about $800 can be transformed into $2,400 worth of shelving. Designer-makers can take timber valued at 2½ thousand dollars and transform it into a $20,000 table-and-chairs setting for eight; or an $800 flitch of high-quality special species timber can be transformed into a $28,000 table. Then there are the small products, and this is where there are some amazing rates of conversion. For example, timber valued at $13.50 can be transformed into a $225 pepper grinder. So, when you go down to Salamanca Place in Hobart, that is the sort of conversion rate; that is the value that is being added through the production chain to the sale of a product that is readily available on the shelves at those stores, creating a massive value-add by generating a lot of income out of a very small amount of product.

In terms of boatbuilding, where significant quantities of special species timbers, particularly Huon pine, are used, timber valued at $30,000 to $40,000 can be transformed into a $350,000 boat. I have seen some of those boats that are manufactured from that timber being built for purchase, in southern Tasmania. One that I saw was to be sailed in Sydney Harbour. It was a magnificent boat, for a person who especially wanted a classically designed timber yacht—handmade, crafted and built in Tasmania.

Wood can also be made into musical instruments: $200 worth of timber can be converted into a $3,000 guitar. Then you have got the little bits and pieces that probably have no value in any commercial sense that can be transformed into the wooden pens that you can buy down in Salamanca Place—100 timber pens with a retail value of $2,495. So making $2,495 from almost nothing is achievable.

All of that indicates that this is a sector employing a significant number of people and taking a resource that is sustainably managed in small quantities and converting those into very valuable products which not only enrich the lives of the people who make them but also add value to the tourism industry, providing visitors to Tasmania with unique mementos of their stay.

It is a great shame that some people are intent on restricting or closing down the opportunities for this industry by closing down access to resources. When people focus on those who want to close down logging in some areas, such as the Weld or Florentine valleys, no-one focuses on this sort of outcome and I think that is a great shame. I do not think that the people who are protesting have a full understanding of the consequences that their actions might have. Per-
haps if they did, we would get a more rational approach to this subject.

I think that, as far as this sector is concerned, people such as George Harris and Peter Bennett ought to be congratulated for taking the necessary steps to drive the production of such a report. To the extent that people want to know the information, it is there, and people can start to make more rational decisions about issues affecting the Tasmanian economy and the Tasmanian environment.

Senate adjourned at 8.32 pm

DOCUMENTS

Tabling

The following document was tabled by the Clerk:

Sydney Airport Curfew Act—Dispensation Report 07/09.

Tabling

The following government documents were tabled:

Airservices Australia—Corporate plan 1 July 2009 to 30 June 2014.

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 April to 30 June 2009.

Defence Housing Australia—Statement of corporate intent 2009-10.

Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2009.

Treaties—

Bilateral—

Convention between Australia and New Zealand for the Avoidance of Double Taxation with respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion, done at Paris on 26 June 2009.—Text, together with national interest analysis and regulation impact statement.

Explanatory statement—2009—


Text, together with national interest analysis—


Second Protocol amending the Agreement between Australia and the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income signed at Canberra on 13 October 1977 as amended by the

Multilateral—

Explanatory statement—2009—


Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Enhance Voice and Participation in the International Monetary Fund, adopted by the IMF Board of Governors on 28 April 2008; Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund, adopted by the IMF Board of Governors on 5 May 2008; Proposed Amendment of the Articles of Agreement of the International Bank for Reconstruction and Development to Enhance Voice and Participation in the International Bank for Reconstruction and Development, adopted by the IBRD Board of Governors on 30 January 2009—Text, together with national interest analysis.

Indexed lists of departmental and agency files

The following document was tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 January to 30 June 2009—Statement of compliance—Australian Taxation Office.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Attorney-General: Staffing**

*(Question No. 959)*

**Senator Ronaldson** asked the Minister representing the Attorney-General, upon notice, on 24 November 2008:

1. Can details be provided, as of 24 November 2008, of the total number of all staff in:
   
   (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and
   
   (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

2. Can details be provided of the aggregate salary and superannuation costs during the 2008 calendar year for all staff in:
   
   (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and
   
   (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

3. Can details be provided of the aggregate travel costs during the 2008 calendar year for all staff in:
   
   (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and
   
   (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

4. Can details be provided of the aggregate mobile phone costs during the 2008 calendar year for all staff in:
   
   (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and
   
   (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

5. Can a breakdown be provided of every review, inquiry and committee which is being conducted in the department that has been announced since 1 December 2007.

6. (a) How many of the department’s reviews, inquiries and committees are in progress or incomplete as of 24 November 2008; and (b) what are their reporting dates.

7. In regard to each of the department’s review, inquiry and committee (completed and incomplete as of 24 November 2008) that has or is being conducted during the 2008 calendar year:
   
   (a) what is the number of departmental staff allocated to each;
   
   (b) what is the aggregate number of departmental staff allocated to all;
   
   (c) were external consultants engaged to assist in any; if so, which consultants and how much has each consultancy cost (please itemise for each); and
(d) what have been the travel costs associated with those staff involved in each (please itemise for each).

(8) For the 2008 calendar year, what is the total cost of each departmental review, inquiry and committee, including staff wages, consultancy costs, travel and any other associated expenditure (please itemise for each).

Senator Wong—The Attorney-General has provided the following answer to the honourable senator’s question:

(1) (a) (i) and (ii) At 24 November 2008, one member of staff was employed in the Attorney-General’s Office, whose job description involved media relations and media advice. (iii) to (vi) Nil.

(b) (i) to (vi) At 24 November 2008 the Department had 25 officers whose job description specifically listed media relations, media advice, public relations, public affairs, communication or communications strategy. Officers perform a range of duties including, but not limited to, the areas mentioned in the honourable senator’s question.

(2) (a) (i) to (vi) At 24 November 2008, a Senior Media Adviser worked in the Attorney-General’s office. The salary package range of the Adviser was $85,500 to $116,400, and a Ministerial Staff Allowance of $17,719. Individual details are not supplied due to privacy reasons.

(b) (i) to (vi) At 24 November 2008, the total aggregate salary and superannuation costs in 2008 calendar year for officers whose job description involved media relations and media advice was $2,095,439.

(3) (a) (i) to (vi) At 24 November 2008, the aggregate travel costs during the 2008 calendar year for the Senior Media Adviser totalled $41,590.22.

(b) (i) to (vi) At 24 November 2008, the aggregate travel costs during the 2008 calendar year for officers mentioned at (1) (b) (i) to (vi) was $105,632.

(4) (a) (i) to (vi) At 24 November 2008, the aggregate mobile phone costs for the 2008 calendar year, for staff mentioned at (1) (a) totalled $3,957.93.

(b) (i) to (vi) I am not prepared to authorise the expenditure of time and money to collect and assemble the highly detailed information sought in part 4(b) of the honourable Senator’s question.

(5) and (6) (a) and (b) Information pertaining to reviews, inquiries and committees the Department is conducting, and that have been announced since 1 December 2007 is set out in the below table:

<table>
<thead>
<tr>
<th>Review, Inquiry, Committee</th>
<th>(6) (a) Status (as at 24 November 2008)</th>
<th>(6) (b) Reporting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of the Kingston and Arthur’s Vale Historical Area (KAVHA) Governance Taskforce on the Commonwealth’s National Capital Responsibilities Review of the Annualised Penalty Payments (APP) under the Attorney-General’s Department Agreement 2007</td>
<td>In Progress</td>
<td>30 June 2009</td>
</tr>
<tr>
<td></td>
<td>In Progress</td>
<td>Second half of 2009.</td>
</tr>
</tbody>
</table>
(5) Review, Inquiry, Committee Name

(6) (a) Status (as at 24 November 2008) (6) (b) Reporting Date

<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>Reporting Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory review of the operation of the Legislative Instruments Act 2003 (the LIA) as required by section 59 of the LIA</td>
<td>In Progress</td>
<td>Report due to the Attorney-General 31 March 2009. (Completed)</td>
</tr>
<tr>
<td>Review of the workload, resources and funding of the Family Court of Western Australia (WA)</td>
<td>In Progress</td>
<td>Report due within 12 weeks of commencement, however was postponed at the request of the WA Attorney-General due to state election caretaker period and change of government. Expected to be completed first half of 2009.</td>
</tr>
<tr>
<td>Intercountry Adoption Harmonisation Working Group</td>
<td>In Progress</td>
<td>Reports provided to Community and Disability Services Ministers’ Advisory Council as agreed by working group members (representatives from the Attorney-General’s Department and State and Territory Government Departments).</td>
</tr>
<tr>
<td>National Peak Overseas Adoption Support Group</td>
<td>In Progress</td>
<td>There are no formal reporting requirements.</td>
</tr>
</tbody>
</table>

(7) (a), (c), (d) and (8) The below table outlines information pertaining to these questions.

<table>
<thead>
<tr>
<th>(7) Reviews, Inquiries, Committees</th>
<th>(7) (a) Number of Departmental staff</th>
<th>(7) (c) External Consultants</th>
<th>(7) (d) Travel Costs</th>
<th>(8) Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of the International Arbitration Act 1974</td>
<td>0.1 Senior Legal Officer (EL1)</td>
<td>nil</td>
<td>nil</td>
<td></td>
</tr>
<tr>
<td>Review of the Kingston and Arthur’s Vale Historical Area (KAVHA) Governance</td>
<td>1 SES Band 1 for 4 months</td>
<td>nil</td>
<td>$4,924.66</td>
<td></td>
</tr>
<tr>
<td>Taskforce on the Commonwealth’s National Capital responsibilities</td>
<td>0.1 SES Band 1 for 2 months</td>
<td>nil</td>
<td>nil</td>
<td>$29,105</td>
</tr>
<tr>
<td></td>
<td>0.8 EL1 for 2 months</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 APS4 for 2 months</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Questions on Notice</th>
<th>(7) Number of Departmental staff</th>
<th>(7) External Consultants</th>
<th>(7) Travel Costs</th>
<th>(8) Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of the Annualised Penalty Payments (APP) under the Attorney-General’s Department Agreement 2007</td>
<td>0.04 SES Band 1 for 12 months 0.04 EL1 for 12 months 0.04 APS6 for 12 months</td>
<td>Verso Consulting $20,000.00</td>
<td>nil</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Statutory review of the operation of the Legislative Instruments Act 2003 (the LIA) as required by section 59 of the LIA</td>
<td>Marginal proportion of 1 SES Band 3 (committee member) 1 EL2 (secretariat support to the committee)</td>
<td>Mr Anthony Blunn AO $13,530.00</td>
<td>$671.22</td>
<td>$184,839.02</td>
</tr>
<tr>
<td>Review of the delivery by the federal courts of family law services</td>
<td>0.7 Legal Officer (APS 6) 0.5 Senior Legal Officer 0.3 Principal Legal Officer (EL2), 0.1 SES Band 1</td>
<td>Mr Des Semple $53,998.66</td>
<td>$8,939.55</td>
<td>$196,506</td>
</tr>
<tr>
<td>Review of the workload, resources and funding of the Family Court of Western Australia (WA)</td>
<td>0.35 Senior Legal Officer (EL1) 0.05 Principal Legal Officer (EL2) 0.03 SES Band 1 0.05 SES Band 1 (working group member) 0.1 Principal Legal Officer (EL2) 0.3 Senior Legal Officer (EL1)</td>
<td>Mr Des Semple $24,186.76</td>
<td>$3,312.00</td>
<td>$81,186</td>
</tr>
<tr>
<td>Intercountry Adoption Harmonisation Working Group</td>
<td>nil</td>
<td>nil</td>
<td>$1,161.00</td>
<td></td>
</tr>
<tr>
<td>National Peak Overseas Adoption Support Group</td>
<td>0.05 SES Band 1 0.1 EL 2 0.2 SLO (EL1) 1 APS 5 (secretariat support)</td>
<td>nil</td>
<td>$64,941.81</td>
<td>$169,668.51</td>
</tr>
<tr>
<td>National Consultation on Human Rights</td>
<td>1 Principal Legal Officer (EL2) and 1 Legal Officer (APS6) from May 2008</td>
<td>nil</td>
<td>$3,693.00</td>
<td>$5,681.00</td>
</tr>
</tbody>
</table>
(7) Reviews, Inquiries, Committees | (7) (a) Number of Departmental staff | (7) (c) External Consultants | (7) (d) Travel Costs | (8) Total Cost
---|---|---|---|---
Statutory review of 2003 amendments to the Copyright Act 1968 | 0.15 LO (APS6) | nil | nil | $23,000.00
| 0.075 SLO (EL1) | | | |
| 0.025 PLO (EL2) | | | |
| 0.01 SES Band 1 | | | |

(b) As at 24 November 2008, it is estimated the aggregate number of full time equivalent Departmental staff allocated to reviews, inquiries and committees was approximately 10.16 full time equivalent staff.

**Small Business, Independent Contractors and the Service Economy: Program Funding**

*(Question No. 1641)*

**Senator Abetz** asked the Minister representing the Minister for Small Business, Independent Contractors and the Service Economy, 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 Small Business, Independent Contractors and the Service Economy has provided the following answer to the honourable senator’s question:

Please refer to the answer provided to Parliamentary Question 1625.
Treasury: Advertising

(Question Nos 1652, 1672, 1673 and 1680)

Senator Minchin asked the Minister representing the Treasurer, 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 Treasurer has provided the following answer to the honourable senator’s question:

Australian Bureau of Statistics

The Australian Bureau of Statistics has not expended any funds or sponsored links via search engines for any websites for which it is responsible.

Australian Competition and Consumer Commission

(a) Ninemsn, and Google promoted the Scamwatch website.
(b) Ninemsn $22,000 GST inclusive and Google $5,500 GST inclusive.
(c) Ninemsn $1,047.62 per day GST inclusive, and Google $392.86 per day GST inclusive.
(d) Not applicable
(e) Words or phrases have been included in the advertisement/sponsorship for both Ninemsn and Google: “who is after your details?” “Stop fakes stealing your money and identity”; “Organisations don’t usually contact you out of the blue requesting your personal details. If this happens to you. STOP. Do not provide your details.” “Promised easy money, great prizes or true love?” “Avoid rip offs. Don’t respond.” “Scamwatch” “Scams” “Australasian Consumer Fraud Taskforce” “Scams target you protect yourself”; “lost money to scammers”; “scammers”; “www.scamwatch.gov.au”; “call 1300 795 995” “Don’t be sucked in. Learn how to recognise and avoid scams” “Don’t respond. Recognise and protect yourself from scams”. “An initiative of the state, territory, Australian and New Zealand Governments.”
(f) Not applicable
(g) Not applicable
(h) 14 days - (24 Feb-8 March 2009) and 7 days - (2-8 March 2009)
(i) Total cost to the ACCC was $27,500 GST inclusive.

**Australian Office of Financial Management**
The Australian Office of Financial Management has not advertised or sponsored any websites on search engines.

**Australian Prudential Regulation Authority**
(a) Since October 2008, for the purposes of recruitment only, APRA has a contract in place with Seek to give APRA priority listing for advertising employment vacancies on the SEEK website www.seek.com.au. An APRA advertisement for a vacancy on the Seek website directs applicants to apply via the careers page on the APRA website www.apra.gov.au;
(b) The contract with Seek allows APRA to place: 100 SEEK advertisements, 100 ‘Standout’ advertisements and 30 ‘Executive’ advertisements, for a total cost of $19,320 (plus GST). This contract also gives APRA the option, depending on the availability of space, to place ‘Premium’ and ‘Executive premium’ advertisements at a cost of $220 (plus GST) and $650 (plus GST) respectively;
(c) Not applicable;
(d) See (a) above;
(e) APRA, Australian Prudential Regulation Authority, Government/Defence, Finance Industry and relevant area of expertise for the vacancy for example, analyst;
(f) Office location, Government - Federal and relevant descriptor for vacancy;
(g) See (b) above;
(h) Most advertisements for vacancies run for two weeks, however Seek allows vacancies to remain on its website for 30 days; and
(i) In the 2008/09 financial year APRA expended $4,400 (plus GST) on Premium listings and $2,600 (plus GST) on Executive premium listings.

**Australian Securities and Investment Commission**
ASIC advertising expenditure with a web component consisted of $5,523 to the Australian Financial Review for the promotion of the 2008 ASIC Summer School and $7,180 to the Australian Financial Review for the promotion of the 2009 ASIC Summer School.

**Australian Taxation Office**
(a) The sites below are administered by the Australian Taxation Office and have been advertised/sponsored on Google and Yahoo search engines:
   The following project was advertised on the Google search engine:
(b) The total cost to establish and run the digital advertising/sponsorship on search engines was:
   First Home Savers, $117,771
   Education Tax Refund, $221,500
   Tax Bonus Payment, $410,690
   All figures are goods and services tax (GST) exclusive.
   There were no establishment costs for the Tax Evasion Google Adwords project.
(c) The Government’s media buyer, Universal McCann, placed all digital campaign advertising for the First Home Savers, Education Tax Refund and Tax Bonus Payment campaigns. They have advised that this information is not available.

There is no daily cost of sponsorship for the Tax Evasion Google Adwords project.

(d) The Government’s media buyer, Universal McCann, placed all digital campaign advertising for the First Home Savers, Education Tax Refund and Tax Bonus Payment campaigns. They have advised that they cannot provide an individual cost per click rate.

The cost for the Tax Evasion Google Adwords project ranges from $1.44 to $2.44 per click depending on search or content.

(e) A copy of Attachment A can be obtained from the Senate Table Office.

(f) and (g) A copy of Attachment B can be obtained from the Senate Table Office.

   Education Tax Refund, 28 January 2009 – 30 June 2009
   Tax Bonus Payment, 21 February 2009 – 30 June 2009
   Tax Evasion Google Adwords project, 04 June 2009 – 30 June 2009

(i) First Home Savers, $117,771
   Education Tax Refund, $221,500
   Tax Bonus Payment, $410,690
   Tax Evasion Google Adwords project, $50,450

All figures are GST exclusive.

Corporations and Markets Advisory Board
CAMAC did not expend any funds on advertising or sponsored links on a search engine such as www.google.com, since 1 January 2008.

Inspector-General of Taxation
Since January 1 2008, the Inspector-General of Taxation has not expended any funds on the type of advertising referred to in this question.

National Competition Council
The National Competition Council has not expended any funds on advertising or sponsored links on a search engine such as www.google.com for its websites since 1 January 2008.

Productivity Commission
The Productivity Commission has not expended any funds on advertising or sponsored links on a search engine for any websites.

Royal Australian Mint
Expended funds on advertising or sponsored links on a search engine within the Minister’s Portfolio, for 2008 with links back to www.ramint.gov.au.
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>(a) Website Address</th>
<th>(b) Establishment Cost</th>
<th>(c) Daily Cost</th>
<th>(e) Words or phrases included in the advert</th>
<th>(h) Start – Finish date</th>
<th>(i) Total cost to the department YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="http://www.littledinkums.com.au">www.littledinkums.com.au</a></td>
<td>$11,740.00</td>
<td>$33.00</td>
<td>Little Dinkums, Dinkums, Gold Koala, Gold Bilby, Kip Koala, Binny Bilby, Petey Platypus, Lillypilly the Frill Necked Lizard</td>
<td>Apr 08 – May 10</td>
<td>$14,166.00</td>
</tr>
<tr>
<td><a href="http://www.americascupvictory.com.au">www.americascupvictory.com.au</a></td>
<td>$1,960.00</td>
<td>$7.00</td>
<td>Royal Australian Mint, Icons of the Commonwealth, Gold Icons, Little Dinkums, Dinkums, Binny Bilby, Kip Koala</td>
<td>Jul 08 – Feb 09</td>
<td>$1,960.00</td>
</tr>
<tr>
<td><a href="http://www.american">www.american</a> numismatic association.com, Numismaster.com</td>
<td>$700.00</td>
<td>$24.00</td>
<td>Royal Australian Mint, Icons of the Commonwealth, Gold Icons, Little Dinkums, Dinkums, Binny Bilby, Kip Koala</td>
<td>Jul 08 – Aug 08, Dec 08 – Jan 09</td>
<td>$700.00</td>
</tr>
<tr>
<td><a href="http://www.go55s.com.au">www.go55s.com.au</a></td>
<td>No Charge</td>
<td>N/A</td>
<td>Royal Australian Mint</td>
<td>Jan 08– Jun 09</td>
<td>N/A</td>
</tr>
<tr>
<td><a href="http://www.bridesdiary.com.au">www.bridesdiary.com.au</a></td>
<td>No charge</td>
<td>N/A</td>
<td>Royal Australian Mint</td>
<td>Nov 08 – Jun 09</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Questions (d), (f) and (g) are not applicable to the type of advertising purchased by the Mint.**

**The Treasury**

Since 1 January 2008, the Treasury has not expended any funds on advertising or sponsored links on search engines.

**Families, Housing, Community Services and Indigenous Affairs: Advertising**

**(Question No. 1659)**

**Senator Minchin** asked the Minister representing the Minister for Families, Housing Community Services and Indigenous 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:

Questions (d), (f) and (g) are not applicable to the type of advertising purchased by the Mint.

**The Treasury**

Since 1 January 2008, the Treasury has not expended any funds on advertising or sponsored links on search engines.
(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 Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:
The websites advertised on each search engine were www.australia.gov.au/ESSpayments and www.australia.gov.au/boost

The Department has been advised by the Australian Government’s master media placement agency, Universal McCann, that the daily cost of sponsorship and the fee charged each time an advertised/sponsored site is selected through a search engine is not available.

The words or phrases included in the advertising for www.australia.gov.au/boost were: 1st home buyer; 1st home buyer Australia; 1st home buyer Australian; 1st home buyer grant aus; 1st home buyer grant Australia; 1st home buyer grant Australian; first home aus; first home Australia; first home buyer Australia; first home buyers act; first home buyers aus; first home buyers Australia; first home buyers Australian; first home buyers grant act; first home buyers grant as; first home buyers grant Australia; first home buyers grant Canberra; first home buyers grant in Australia; first home buyers grant in nsw; first home buyers grant in queensland; first home buyers grant in victoria; first home buyers grant Melbourne; first home buyers grant new south; first home buyers grant new south wales; first home buyers grant nsw; first home buyers grant nt; first home buyers grant qld; first home buyers grant queensland; first home buyers grant sa; first home buyers grant south; first home buyers grant south australia; first home buyers grant Sydney; first home buyers grant Tasmania; first home buyers grant vic; first home buyers grant victoria; first home buyers victoria; first home buyer grant; first home buyer victoria; first home buyer's grant; first home buyers grant on; first home buyer's grant rules; first home buyers scheme; first home owner; first home owner scheme; first home owners; first home owners scheme;
QUESTIONS ON NOTICE

first home scheme; first homes; first time buyers; first time home buyer; first time home buyer advice; first time home buyer guide; first time home buyers; first time home buyers assistance; first time home buyers guide; first time home owner; first time home owners; first time homebuyer; first time homeowners; firsthome; how to buy your first home; 1st home buyer grant; 1st home buyers grant; 1st home owner grant; 1st home owners grant; a first home buyers grant; and first home buyers grant; australian first home buyers grant; commonwealth first home buyers grant; fhog; first home buyer government grant; first home buyer grant; first home buyer grant nsw; first home buyers government; first home buyers government grant; first home buyers government grant 14000; first home buyers grant 2008; first home buyers grant amount; first home buyers grant application form; first home buyers grant changes; first home buyers grant conditions; first home buyers grant faq; first home buyers grant for; first home buyers grant form; first home buyers grant forms; first home buyers grant how; first home buyers grant if; first home buyers grant in; first home buyers grant increase; first home buyers grant information; first home buyers grant investment; first home buyers grant land; first home buyers grants; first home buyers guide; first home buyers information; first home buyer grant; first home loan buyers grant; first home loan grant; first home owner government grant; first home owner grant; first home owners buyers grant; first home owners government grant; first home owners grant; first home owners grant application; first home owners grants; first homebuyers grant; first time home buyer grant; first time home buyers grant; first time home owners grant; for the first home buyers grant; first home buyers grant; get first home buyers grant; get the first home buyers grant; government grant for first home buyers; home buyers grant; home owners grant; how much is first home buyers grant; how much is the first home buyers grant; how much is the first home buyers grant in; is first home buyers grant; is the first home buyers grant; is the first home buyers grant in; much is first home buyers grant; much is the first home buyers grant in; new first home buyers grant; new home buyers grant; of first home buyers grant; the first home buyers grant; the first home buyers grant if; the first home buyers grant in; to first home buyers grant; best investment plan; best investment plans; best investment strategies; best investment strategy; conservative investment plan; conservative investment strategy; financial investing advice; financial investment advice; financial investment plan; financial investment plans; financial investment strategies; financial investment strategy; financial planning & investment; financial planning and investment; income investment plan; income investment plans; income investment strategies; income investment strategy; investing advice; investing plan; investing plans; investing strategies; investing strategy; investment advice; investment advisor; investment advisors; investment analysis; investment help; investment information; investment planner; investment planning; investment plans; investment service; investment services; investment strategies; investment strategy consultants; investment tip; investments plan; investments plans; investments strategies; investments strategy; investor plan; investor plans; investor strategies; investor strategy; long term investment plan; long term investment plan; long term investment plans; long term investment strategies; long term investment strategy; personal investment plan; personal investment strategy; share investment plan; share investment plans; share investment strategies; share investment strategy; strategic investment advice; term investment plan; term investment plans; term investment strategies; term investment strategy; 1st home buyer homeloan; 1st home buyer homeloan aus; 1st home buyer homeloan Australia; 1st home buyer homeloans; 1st home buyer homeloans aus; 1st home buyer homeloans Australia; 1st home buyer loan; 1st home buyer loan aus; 1st home buyer loan Australia; 1st home buyer loan australian; 1st home buyer loans; 1st home buyer loans aus; 1st home buyer loans Australia; 1st home buyer loans Australian; 1st home buyer mortgage; 1st home buyer mortgage loan; 1st home buyer mortgage loan aus; 1st home buyer mortgage loan Australia; 1st home buyer mortgage loan Australian; 1st home buyer mortgages; 1st home buyer mortgages aus; 1st home buyer mortgages Australia; 1st home buyer mortgages Australian; first home buyer loan; first home buyer loans; first home buyer mortgage; first home buyers checklist; first home buyers deposit; first home...
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The words or phrases included in the advertising for www.australia.gov.au/esspayments were: aboriginal; aboriginal education; aboriginal education assistance; aboriginal education living expenses; aboriginal living expenses grant; aboriginal primary school assistance; aboriginal primary school grant; aboriginal primary school help; aboriginal school assistance; aboriginal school grant; aboriginal study allowance; aboriginal study assistance; aboriginal study scheme; aboriginal tafe grant; aboriginal tafe scholarship; aboriginal torres strait islander study scheme; aboriginal university allowance; aboriginal university benefit; aboriginal university benefit payment; aboriginal university grant; aboriginal university scholarship; aboriginals; aborigines; abstudy; abstudy allowance; abstudy com; abstudy com au; abstudy gov au; abstudy payment; abstudy payments; centerlink abstudy; for abstudy; indigenous; of abstudy; torres strait island education; www abstudy; www abstudy com; www abstudy gov au; age based pension; age benefits; age for age pension; age for pension; age of pension; age pension; age pension 2007; age pension act; age pension age; age pension allowance; age pension amount; age pension benefit; age pension benefits; age pension calculator; age pension card; age pension changes; age pension claim; age pension couple; age pension criteria; age pension dates; age pension eligibility; age pension entitlement; age pension in australia; age pension income; age pension in-
come test; age pension increase; age pension new; age pension paid; age pension payment; age pension payment rates; age pension payments; age pension rate; age pension rates; age pension requirements; age pension rise; age pension rules; age pension scheme; age pension solutions; age pension superannuation; age pension test; age pension victoria; age pensioners; age pensions; age security pension; aged pension; aged pensioners; aged pensions; allocated pension; allocated pensions; australian old age pensions; australian pension; full pension; get age pension; government age pension; government age pensions; government pension; income for age pension; income pension; maximum age pension; maximum pension; minimum pension; much age pension; new age pension; old age pension; old age pension increase; old age pensions; old age pensions in; old age pensions in australia; pension; pension advice; pension age for women; pension age pension; pension age women; pension ages; pension au; pension benefits; pension calculator; pension card; pension contribution; pension definition; pension details; pension fund; pension in australia; pension news; pension plan; pension planning; pension plans; pension scheme; pension services; pension solution; pension solutions; pension superannuation; pension tax; pension test; pensioner card; pensioner concession card; pensioners card; pensions; pensions advice; pensions fund; pensions income; private pension; receive age pension; retirement age pension; retirement pension; retirement pensions; senior pension; simple pension; social security age pension; spouse pension; super and pension; super pension; superannuation pension; the pension; Widow and Bereavement Allowees; widow B pension; widow pension; wife pension; $1000 carer payment; and carer payment; and carer payment rates; and carers payment; bonus payment for carers; bonus payments for carers; carer; carer adjustment payment; carer allowance; carer allowance bonus payment; carer allowance one off payment; carer allowance payment; carer allowance payments; carer bonus payment; carer bonus payment 2008; carer bonus payments; carer bonus payments 2008; carer lump sum payment; carer one off payment; carer payment; carer payment 2008; carer payment and carer; carer payment and carer allowance; carer payment australia; carer payment child review; carer payment eligibility; carer payment for; carer payment in; carer payment income; carer payment rates; carer payment review; carer payments; carer payments 2008; carers; carers $1000 payment; carers adjustment payment; carers allowance; carers allowance bonus payment; carers allowance one off payment; carers allowance payment; carers allowance payments; carers benefits; carers benefits; carers bonus; carers bonus payment 2008; carers bonus payment date; carers bonus payments; carers information; carers lump sum payment; carers one of payment; carers one off payment; carers one off payment 2008; carers payment; carers payment 2008; carers payment australia; carers payment bonus; carers payment in; carers payments; carers payments in; carers pension; carers support; centerlink carers payment; centrelink carer payment; centrelink carer payments; centrelink carers bonus payment; centrelink carers payment; centrelink carers payments; centrelink disability and carer payment; centrelink disability and carer payment rates; foster carer payment; foster carer payments; foster carers payment; foster carers payments; is carer payment; of carer payment; of carers payment; off carer payment; off carer payment 2008; off carers payment; off carers payment 2008; off payment for carers; on carer payment; on carer payment; one off carer payment 2008; one off payment for carers; payment and carer allowance; payment for carers; payment for carers 2008; payment for carers in; payment to carers; payments for carers; payments for carers in; payments for foster carers; payments to carers; rudd carers payment; the carer payment; the carers bonus payment; the carers payment; 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The subcategories the words and combinations were classed in to for www.australia.gov.au/esspayments were Abstudy, Age Pensioners, Carers Payment, Centrelink; Disability Support Payments; Families; Family Tax Benefit; Government payments; Retirement; Seniors; Superannuation; Veterans; Youth, and; Jobs and Training. The subcategories the words and combinations were classed in to for www.australia.gov.au/boost were Australian and State specific; Financial Stress; First Home General; Grant Specific; Investment Advice; Mortgage and Loan, and; Stamp Duty.

Approximately 1,200 combinations of words were factored in to the purchase equation for www.australia.gov.au/esspayments. Approximately 450 combinations of words were factored in to the purchase equation for www.australia.gov.au/boost.


The total cost to the Department for advertising and sponsored links on search engines during the 2008-09 financial year was $365,502.
Perth Airport  
(Question No. 1687)

Senator Cormann asked the Minister representing the Minister for Infrastructure, Transport, Regional Development and Local Government, upon notice, on 9 June 2009:

With reference to Perth Airport:

(1) Is the owner of the airport subject to contractual or regulatory obligations regarding the level of service provided to the public and the facilities to be provided.

(2) What are the contractual and regulatory obligations of the owner.

(3) What are the specific contractual and regulatory obligations for each of the following:
   (a) The provision and availability of short and long-term parking.
   (b) The provision and availability of set-down and pick-up car bays.
   (c) The speed of security screening.
   (d) Catering and retail services.
   (e) Availability of taxi services.
   (f) Security services, particularly in relation to long-term parking.

(4) What are the limitations, if any, on the airport charging monopolistic fees on the services they provide.

(5) (a) Are any details of the contractual and regulatory obligations of the owner of the airport regarding level of services and facilities not publicly available; if so, why are these details not publicly available; and (b) who monitors the compliance with such contractual and regulatory obligations.

(6) (a) Is the owner of the airport complying in all respects with contractual and regulatory obligations in relation to the operation, development and services to the public at the airport; and (b) what monitoring takes place to ensure this is the case.

(7) For the monitoring mentioned in 6 b) above: (a) who undertakes this monitoring; (b) in what form does it occur; and (c) how frequently does it take place.

Senator Conroy—the Minister for Infrastructure, Transport, Regional Development and Local Government has provided the following answer to the honourable senator’s question:

(1) Quality of service is monitored by the Australian Competition and Consumer Commission (ACCC) pursuant to Part 8 of the Airports Act 1996.

(2) Westralia Airports Corporation (WAC) is subject to the requirements of their airport head lease and the Airports Act 1996.

(3) The regulatory controls relating to car parking, taxis, catering and security screening arrangements are commercial matters managed by WAC and subject to the level of service required by their airline partners, services providers, airport sublessees and tenants.

(4) Airport operators are subject to the general provisions of the Trade Practices Act 1974 including provisions that prohibit anti-competitive behaviour such as misuse of market power.

(5) The outcomes of the annual quality of service monitoring undertaken by the ACCC are made available on the ACCC’s website.

(6) To the best of the Department’s knowledge, airports are complying with contractual and regulatory obligations. The Department conducts an annual lease review to ensure airport lessee companies (ALCs) comply with their obligations under the airport head lease.

(7) Contractual obligations of the airport operator under the head lease are monitored by the Department. Regulatory obligations under the Airports Act 1996, for example Master Plans and Major
Development Plans and Environmental Strategies are assessed by the Department. Other regulatory requirements, for example those under the Trade Practices Act 1974, are the responsibility of others.

Lease reviews are conducted annually. Other regulatory requirements are assessed as required. For example an ALC is required to undertake a review of the Airport Master Plan every five years.

**China**

*(Question No. 1689)*

**Senator Bob Brown** asked the Minister representing the Prime Minister, upon notice, on 9 June 2009:

With reference to the Prime Minister’s speech acknowledging the twentieth anniversary of the Tiananmen Square massacre in which he referred to advances made by the Chinese Government, including positive steps in the rule of law and political rights, can the Prime Minister outline the actions he knows the Chinese Government is undertaking in the following areas:

(a) rule of law;
(b) political rights;
(c) corruption; and
(d) increasing openness in the work of the Government.

**Senator Chris Evans**—The Prime Minister has provided the following answer to the honourable senator’s question:

It is the Australian Government’s view that there remains considerable room for further progress. Corruption, human rights and transparency in government are amongst the key challenges that China is grappling with today.

It is also the case that the Chinese Government has undertaken reforms to enhance the rule of law, improve protections of political rights, combat corruption and increase government transparency. These efforts have included:

(a) a 2008 White Paper on the Rule of Law;
(b) a constitutional amendment in 2004 to provide that the Chinese State “respects and protects human rights”, as well as ongoing criminal justice reforms like the move in 2006 to promote wider audio and videotaping of interrogations;
(c) the ratification by the National People’s Congress of the United Nations Convention Against Corruption in 2006, followed by the establishment of the National Bureau of Corruption Prevention in September 2007; and
(d) the introduction of China’s first “open government information” reform initiative in 2002 to increase disclosure and public accountability.

**Boston Consulting Group and Allen Consulting Group**

*(Question Nos 1731, 1750, 1756 and 1758)*

**Senator Ronaldson** asked the Minister representing the Treasurer, upon notice, on 10 June 2009:

Can a list be provided of contracts awarded to:

(a) the Boston Consulting Group; and
(b) the Allen Consulting Group,

by the department and/or any of its agencies, of any value, between 1 January 2008 and 31 May 2009, including the value and primary deliverable of the contract.
Senator Sherry—The Treasurer has provided the following answer to the honourable senator’s question:

**Australian Bureau of Statistics**
(a) Nil.

**Australian Competition and Consumer Commission**
(a) Nil.
(b) Two contracts have been awarded to Allen Consulting group during the period outlined above.
   Conduct a review of import parity price for LPG. The contract value was $172,257.
   Review of reports concerning marketing arrangements of Australian domestic gas sales from joint ventures. The contract value was $65,472.

**Australian Office of Financial Management**
Nil.

**Australian Prudential Regulation Authority**
Nil.

**Australian Securities and Investment Commission**
Nil.

**Australian Taxation Office**
(a) The Boston Consulting Group

<table>
<thead>
<tr>
<th>Project No</th>
<th>Primary Deliverable</th>
<th>Start Date</th>
<th>End Date</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>07.102 -1</td>
<td>SSP 08-02 Provision of support for the end user computing bundle strategy</td>
<td>03/03/2008</td>
<td>28/03/2008</td>
<td>$219,347.60</td>
</tr>
<tr>
<td>07.102 -3</td>
<td>SSP 08-03 Strategic advisor to Information Communication &amp; Technology sourcing program</td>
<td>03/03/2008</td>
<td>30/06/2008</td>
<td>$436,818.80</td>
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<tr>
<td>07.102 -9</td>
<td>SSP 08-10 Provide strategic direction to the centralised computing bundle</td>
<td>02/06/2008</td>
<td>04/07/2008</td>
<td>$192,579.20</td>
</tr>
<tr>
<td>07.102 -13</td>
<td>SSP 08-14 Strategic advisor role to Information Communication &amp; Technology sourcing program</td>
<td>01/07/2008</td>
<td>30/01/2009</td>
<td>$1,854,884.68</td>
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<tr>
<td>07.102 -18</td>
<td>SSP 09-02 Perform Information Communication &amp; Technology sourcing strategy refresh and vendor projects function</td>
<td>16/03/2009</td>
<td>30/06/2009</td>
<td>$525,592.10</td>
</tr>
</tbody>
</table>

(b) Nil.

**Corporations and Markets Advisory Board**
Nil.

**Inspector-General of Taxation**
Nil.

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National Competition Council
Nil.

Productivity Commission
Nil / no contracts.
Nil / no contracts.

Royal Australian Mint
Nil.

The Treasury
Nil.

Boston Consulting Group and Allen Consulting Group
(Question No. 1737)

Senator Ronaldson asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 10 June 2009:
Can a list be provided of contracts awarded to: (a) the Boston Consulting Group; and (b) the Allen Consulting Group, by the department and/or any of its agencies, of any value, between 1 January 2008 and 31 May 2009, including the value and primary deliverable of the contract.

Senator Chris Evans—The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:
The department did not award any contracts to Boston Consulting Group in the period requested.
There were 6 contracts awarded to Allen Consulting Group. See the attached table for details.

<table>
<thead>
<tr>
<th>Contract Description</th>
<th>Key Deliverable</th>
<th>Start Date</th>
<th>End Date</th>
<th>Contract Value (inc GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact of the Global Financial Crisis (GFC) on non-profit management operations research project</td>
<td>Undertake research and analysis on the impact of the Global Financial Crisis (GFC) on non-profit organisations’ management operations by developing, hosting and inviting participation in online survey.</td>
<td>11-May-09</td>
<td>30-Jun-09</td>
<td>53,350.00</td>
</tr>
<tr>
<td>Impact of the Global Financial Crisis (GFC) on corporate-community investment research project</td>
<td>Undertake research and analysis on the impact of the Global Financial Crisis (GFC) on corporate community investment operations by developing, hosting and inviting participation in online survey.</td>
<td>11-May-09</td>
<td>29-Jun-09</td>
<td>49,500.00</td>
</tr>
<tr>
<td>Interactive Gambling in Australia (Desktop Study)</td>
<td>Undertake a desktop study and produce a final written report on existing and emerging interactive gambling technologies in Australia and overseas.</td>
<td>13-Jan-09</td>
<td>27-Feb-09</td>
<td>51,900.00</td>
</tr>
<tr>
<td>Contract Description</td>
<td>Key Deliverable</td>
<td>Start Date</td>
<td>End Date</td>
<td>Contract Value (inc GST)</td>
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<tr>
<td>Private Market Disability Accommodation through Public-Private Partnerships</td>
<td>Review current and potential capacity for private market provision of disability accommodation through public-private-partnerships (PPPs); and propose practical strategies to increase private sector investment in housing for people with disability, particularly through PPPs.</td>
<td>11-Jul-08</td>
<td>30-Sep-08</td>
<td>145,415.00</td>
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<td>Information sharing - assist families &amp; children &amp; the child protection system</td>
<td>Consultations, review and analysis regarding Information Sharing to assist families and children in the child protection system.</td>
<td>03-Aug-08</td>
<td>09-Sep-08</td>
<td>97,787.00</td>
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<tr>
<td>International Review of Future Planning Provisions</td>
<td>Conduct an international literature review which will collate and analyse existing information about private financial provision and future planning for carers who have a family member with disability.</td>
<td>02-Jun-08</td>
<td>11-Nov-08</td>
<td>101,259.00</td>
</tr>
</tbody>
</table>

**Prime Minister and Cabinet: Hospitality**

*(Question No. 1784)*

Senator Abetz asked the Minister representing the Prime Minister, upon notice, on 16 June 2009:

1. (a) Can an itemised list be provided of how much the department has spent on hospitality since 24 November 2007; and (b) of this, how much was spent on alcohol.

2. For each Minister and any associated parliamentary secretary. (a) can an itemised list be provided of how much each office has spent on hospitality since 24 November 2007; and (b) of this, how much was spent on alcohol.

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:

1. For details of departmental expenditure on hospitality since 24 November 2007 please see the attached table.

2. Nil.

**Itemised list of Departmental spend on hospitality**

<table>
<thead>
<tr>
<th>Date</th>
<th>Host</th>
<th>Nature of function</th>
<th>Location</th>
<th>Alcohol</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/12/2007</td>
<td>Kevin Rudd</td>
<td>Reception on the occasion of the Swearing-in of the Rudd Ministry*</td>
<td>The Lodge, Canberra</td>
<td>N/A</td>
</tr>
<tr>
<td>Date</td>
<td>Host</td>
<td>Nature of function</td>
<td>Location</td>
<td>Alcohol</td>
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<tr>
<td>09/12/2007</td>
<td>Kevin Rudd</td>
<td>Working luncheon in honour of the Rt Hon Helen Clark, Prime Minister of New Zealand</td>
<td>Private Residence</td>
<td>$172</td>
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<td>$610</td>
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<td></td>
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<td></td>
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<td>$782</td>
</tr>
<tr>
<td>17/12/2007</td>
<td>Kevin Rudd</td>
<td>Reception for members of the Parliamentary Press Gallery</td>
<td>The Lodge, Canberra</td>
<td>N/A</td>
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<td>N/A</td>
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<td>$7,157</td>
</tr>
<tr>
<td>11/02/2008</td>
<td>Ms Rein</td>
<td>Parliamentary Partners and Childrens Garden Party</td>
<td>Kirribilli House, Kirribilli, Sydney</td>
<td>$610</td>
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<td>$2,790</td>
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<td>$3,400</td>
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<tr>
<td>06/01/2008</td>
<td>Kevin Rudd</td>
<td>Reception on the occasion of the visit to Australia by the US Congressional Delegation led by HoR Majority Leader Steny Hoyer</td>
<td>Kirribilli House, Kirribilli, Sydney</td>
<td>$827</td>
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<td>$1,324</td>
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<tr>
<td>10/01/2008</td>
<td>Kevin Rudd</td>
<td>Reception on the occasion of the visit to Australia by the US Congressional Delegation led by HoR Majority Whip James Clyburn</td>
<td>Kirribilli House, Kirribilli, Sydney</td>
<td>$417</td>
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<tr>
<td>23/01/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of the Honourable Dr Derek Sikua MP, Prime Minister of Solomon Islands</td>
<td>Prime Minister's Dining Room, Parliament House</td>
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<tr>
<td>25/01/2008</td>
<td>Kevin Rudd</td>
<td>Morning Tea in honour of the 2008 Australian of the Year National Finalists</td>
<td>The Lodge, Canberra</td>
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<td>$804</td>
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<tr>
<td>26/01/2008</td>
<td>Kevin Rudd</td>
<td>Australia Day Reception</td>
<td>The Lodge, Canberra</td>
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<td>$8,105</td>
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<td>29/01/2008</td>
<td>Kevin Rudd</td>
<td>Reception on the occasion of The Prime Minister’s XI versus Sri Lanka Cricket Match</td>
<td>The Lodge, Canberra</td>
<td>$1,429</td>
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<td>$5,000</td>
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<td>$6,429</td>
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<tr>
<td>30/01/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon on the occasion of The Prime Minister’s XI versus Sri Lanka Cricket Match</td>
<td>The Sir Donald Bradman Stand, Manuka Oval, Canberra</td>
<td>$981</td>
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<td>$8,754</td>
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<td>$9,735</td>
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<tr>
<td>02/02/2008</td>
<td>PM&amp;C</td>
<td>APEC Seminars</td>
<td>State Library of NSW</td>
<td>$0</td>
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<td>Date</td>
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<tr>
<td>05/02/2008</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of His Excellency Mr Yang Jiechi, Minister of Foreign Affairs in the Government of the People’s Republic of China</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$270 $1,585 $1,855</td>
</tr>
<tr>
<td>05/02/2008</td>
<td>Kevin Rudd</td>
<td>Breakfast meeting with the Prime Minister of Australia and Mr Yang Jiechi, Minister of Foreign Affairs in the Government of the People’s Republic of China</td>
<td>Prime Minister’s Dining Room, Parliament House</td>
<td>$0 $745 $745</td>
</tr>
<tr>
<td>08/02/2008</td>
<td>Kim Carr</td>
<td>Luncheon in honour of His Excellency Shri Kapil Sibal Minister for Science &amp; Technology and Earth Sciences in the Government of India</td>
<td>East Tower Suite</td>
<td>$0 $2,282 $2,282</td>
</tr>
<tr>
<td>13/02/2008</td>
<td>Kevin Rudd</td>
<td>Morning tea on the occasion of the National Apology to the Stolen Generations</td>
<td>Members’ Hall, Parliament House</td>
<td>$0 $24,648 $24,648</td>
</tr>
<tr>
<td>18/02/2008</td>
<td>Stephen Smith</td>
<td>Dinner in honour of His Excellency Mr Zacarias Alban da Costa Minister of Foreign Affairs Democratic Republic of Timor-Leste</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$254 $1,528 $1,782</td>
</tr>
<tr>
<td>23/02/2008</td>
<td>Kevin Rudd</td>
<td>Dinner on the occasion of the Australia-United States Ministerial Consultations</td>
<td>The Lodge, Canberra</td>
<td>$1,036 $1,200 $2,236</td>
</tr>
<tr>
<td>27/02/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of the Right Honourable Helen Clarke MP, Prime Minister of New Zealand</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$276 $2,098 $2,374</td>
</tr>
<tr>
<td>27/03/2008</td>
<td>Joel Fitzgibbon</td>
<td>Luncheon in honour of the Honourable Dr Juwono Sudarsono, Minister for Defence in the Government of the Republic of Indonesia, Australia</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$203 $2,136 $2,339</td>
</tr>
<tr>
<td>18/04/2008</td>
<td>Kevin Rudd</td>
<td>Australia 2020 Dinner</td>
<td>The Lodge, Canberra</td>
<td>$511 $595 $1,106</td>
</tr>
<tr>
<td>22/04/2008</td>
<td>PM&amp;C</td>
<td>Official Hospitality - Indonesian visit</td>
<td>PM&amp;C</td>
<td>$143 $1,033 $1,176</td>
</tr>
<tr>
<td>Date</td>
<td>Host</td>
<td>Nature of function</td>
<td>Location</td>
<td>Alcohol</td>
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<tr>
<td>14/05/2008</td>
<td>Stephen Smith</td>
<td>Dinner in honour of Representative Park Geun-hye, Former Chairperson of the ruling Grand National Party, Republic of Korea</td>
<td>House of Representatives Alcove, Parliament House</td>
<td>$507 $2,077 $2,584</td>
</tr>
<tr>
<td>23/05/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of the Honourable Dr Fred Sevele, Prime Minister of the Kingdom of Tonga and Chair of the Pacific Islands Forum</td>
<td>Prime Minister’s Dining Room, Parliament House</td>
<td>$168 $1,939 $2,107</td>
</tr>
<tr>
<td>26/05/2008</td>
<td>Simon Crean</td>
<td>Luncheon in honour of His Excellency Dr Nam Viyaketh MP, Minister of Industry and Commerce, Lao People’s Democratic Republic</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$335 $1,105 $1,440</td>
</tr>
<tr>
<td>26/05/2008</td>
<td>Anthony Albanese</td>
<td>Luncheon in honour of the Honourable Sri Pranab Patnaik, Minister of Civil Aviation in the Government of India</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$174 $1,210 $1,384</td>
</tr>
<tr>
<td>30/05/2008</td>
<td>PM&amp;C</td>
<td>Refreshments for Ministerial Meeting on Electoral Reform with Commonwealth, State and Territory ministers</td>
<td>Commonwealth Parliamentary Offices, Sydney</td>
<td>$0 $534 $534</td>
</tr>
<tr>
<td>20/06/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of His Excellency Anote Tong, President of the Republic of Kiribati</td>
<td>Prime Minister’s Dining Room, Parliament House</td>
<td>$146 $803 $949</td>
</tr>
<tr>
<td>04/07/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of the Honourable Tuilaepa Lopesoliai Sailele Malielegaoi, Prime Minister of the Independent State of Samoa</td>
<td>Prime Minister’s Dining Room, Parliament House</td>
<td>$156 $746 $902</td>
</tr>
<tr>
<td>11/07/2008</td>
<td>PM&amp;C</td>
<td>Update on Lowy Institute perspective on foreign policy</td>
<td>Kanoba Restaurant Hotel Realm, Canberra</td>
<td>$0 $59 $59</td>
</tr>
<tr>
<td>16/07/2008</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of the Honourable Apisai Ielemia, Prime Minister of Tuvalu</td>
<td>Premier’s Room, Hotel Inter. Continental, Sydney</td>
<td>$135 $1,510 $1,645</td>
</tr>
<tr>
<td>Date</td>
<td>Host</td>
<td>Nature of function</td>
<td>Location</td>
<td>Alcohol</td>
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<tr>
<td>30/07/2008</td>
<td>Simon Crean</td>
<td>Luncheon in honour of Mr Alejandro Foxley, Minister for Foreign Affairs in the Government of the Republic of Chile</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$1,011</td>
</tr>
<tr>
<td>31/07/2008</td>
<td>PM&amp;C</td>
<td>APEC Seminars (Freedom of Information)</td>
<td>The Sydney Masonic Centre, Sydney</td>
<td>$0</td>
</tr>
<tr>
<td>19/08/2008</td>
<td>PM&amp;C</td>
<td>Official Dinner for Indonesian Delegation</td>
<td>Sanur Restaurant, Canberra</td>
<td>$0</td>
</tr>
<tr>
<td>22/08/2008</td>
<td>PM&amp;C</td>
<td>Official Dinner for Indonesian Delegation</td>
<td>Polo Club Brisbane, Brisbane</td>
<td>$185</td>
</tr>
<tr>
<td>25/08/2008</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of His Excellency Mr Kay Rala Xanana Gusmão, Prime Minister and Minister of Defense and Security of the Democratic Republic of Timor-Leste, and Her Excellency Mrs Kirsty Sword Gusmão</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$1,734</td>
</tr>
<tr>
<td>26/08/2008</td>
<td>PM&amp;C</td>
<td>Lunch for Indonesian delegation</td>
<td>Ottomans Barton, Canberra</td>
<td>$0</td>
</tr>
<tr>
<td>26/08/2008</td>
<td>Kevin Rudd</td>
<td>Farewell Dinner for the Governor-General and Mrs Jeffery</td>
<td>Great Hall, Parliament House, Canberra</td>
<td>$26,145</td>
</tr>
<tr>
<td>27/08/2008</td>
<td>PM&amp;C</td>
<td>Farewell function for Indonesian delegation</td>
<td>PM&amp;C, Canberra</td>
<td>$0</td>
</tr>
<tr>
<td>28/08/2008</td>
<td>PM&amp;C</td>
<td>APEC Seminars (Freedom of Information)</td>
<td>The State Library of NSW, Sydney</td>
<td>$0</td>
</tr>
<tr>
<td>05/09/2008</td>
<td>Kevin Rudd</td>
<td>Swearing in of Ms Quentin Bryce AC as Governor-General of the Commonwealth of Australia</td>
<td>Senate Chamber</td>
<td>$2,400</td>
</tr>
<tr>
<td>16/09/2008</td>
<td>Joel Fitzgibbon</td>
<td>Dinner in honour of Mr Hervé Morin, Minister for Defence of France</td>
<td>Boat House By The Lake</td>
<td>$772</td>
</tr>
<tr>
<td>13/10/2008</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of His Excellency Mr Nguyen Tan Dung, Prime Minister of the Socialist Republic of Vietnam</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$3,015</td>
</tr>
<tr>
<td>Date</td>
<td>Host</td>
<td>Nature of function</td>
<td>Location</td>
<td>Alcohol</td>
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<tr>
<td>19/10/2008</td>
<td>Kevin Rudd</td>
<td>Dinner on the occasion of the First Meeting of the International Commission on Nuclear Non-proliferation and Disarmament</td>
<td>Kirribilli House, Kirribilli, Sydney</td>
<td>$1,271</td>
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<td>$6,635</td>
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<td>$7,906</td>
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<tr>
<td>21/10/2008</td>
<td>Wayne Swan</td>
<td>Dinner in honour of His Excellency Mr Zhang Ping, Chairman of the National Development and Reform Commission, People’s Republic of China</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$306</td>
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<td>$1,628</td>
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<td>$1,934</td>
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<tr>
<td>22/10/2008</td>
<td>PM&amp;C</td>
<td>ANU working lunch: International Strategic Unit</td>
<td>Cafe in the House, Canberra</td>
<td>$0</td>
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<td>$58</td>
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<tr>
<td>22/10/2008</td>
<td>PM&amp;C</td>
<td>Unified Policing Model Meeting</td>
<td>Hilton Melbourne Airport, Melbourne</td>
<td>$445</td>
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<td>$560</td>
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<td>$1,005</td>
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<tr>
<td>22/10/2008</td>
<td>Simon Crean</td>
<td>Luncheon in honour of His Excellency Mr Zhang Ping, Chairman of the National Development and Reform Commission, People’s Republic of China</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$231</td>
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<td>$2,509</td>
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<td>$2,740</td>
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<tr>
<td>29/10/2008</td>
<td>PM&amp;C</td>
<td>Official Dinner for Indonesian Delegation</td>
<td>Sanur Restaurant Belconnen, Canberra</td>
<td>$0</td>
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<td>$626</td>
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<tr>
<td>05/11/2008</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of His Excellency Mr Zhou Yongkang, Member of the Standing Committee of the Political Bureau of the CPC Central Committee (Note: Of costs 50% paid by PM&amp;C, 50% paid by WA premiers Dept.)</td>
<td>Acqua Viva on the Swan, Jojo’s Jetty, Perth</td>
<td>$516</td>
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<td>$2,754</td>
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<td>$3,270</td>
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<tr>
<td>11/11/2008</td>
<td>PM&amp;C</td>
<td>APEC Seminars (Freedom of Information)</td>
<td>Victoria University, Melbourne</td>
<td>$0</td>
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<td>$715</td>
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<tr>
<td>11/11/2008</td>
<td>Kevin Rudd</td>
<td>Dinner on the occasion of the Australia Indonesia Ministerial Forum</td>
<td>The Lodge, Canberra</td>
<td>$661</td>
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<td>$1,718</td>
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<tr>
<td>13/11/2008</td>
<td>Kevin Rudd</td>
<td>Commemoration of the centenary of Prime Minister Andrew Fisher’s first Government</td>
<td>King’s Hall, Old Parliament House</td>
<td>$0</td>
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<td>$1,734</td>
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<td>$1,734</td>
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<td>Date</td>
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<td>Nature of function</td>
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<td>Alcohol</td>
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<tr>
<td>13/11/2008</td>
<td>Chris Evans</td>
<td>Dinner in honour of His Excellency Mr Andi Mattalatta, Minister of Law and Human Rights in the Government of the Republic of Indonesia</td>
<td>MV Commissioner II, Flagship Charter</td>
<td>$601 $4,007 $4,608</td>
</tr>
<tr>
<td>29/11/2008</td>
<td>Kevin Rudd</td>
<td>Breakfast on the occasion of the Council of Australian Government’s Meeting</td>
<td>The Lodge, Canberra</td>
<td>$0 $546 $546</td>
</tr>
<tr>
<td>30/11/2008</td>
<td>Kevin Rudd</td>
<td>Council of Australian Governments Meeting</td>
<td>Parliament House</td>
<td>$403 $11,224 $11,627</td>
</tr>
<tr>
<td>30/11/2008</td>
<td>Ms Rein</td>
<td>Parliamentary Partners and Childrens Garden Party</td>
<td>The Lodge, Canberra</td>
<td>$710 $2,325 $3,035</td>
</tr>
<tr>
<td>02/12/2008</td>
<td>Kevin Rudd</td>
<td>Reception for members of the Parliamentary Press Gallery</td>
<td>The Lodge, Canberra</td>
<td>$3,108 $6,418 $9,526</td>
</tr>
<tr>
<td>08/12/2008</td>
<td>Kevin Rudd</td>
<td>Reception for SES Officers of the Department of the Prime Minister and Cabinet</td>
<td>The Lodge, Canberra</td>
<td>$496 $2,990 $3,486</td>
</tr>
<tr>
<td>10/12/2008</td>
<td>PM&amp;C</td>
<td>Official Dinner for Indonesian Delegation</td>
<td>PM&amp;C, Canberra</td>
<td>$149 $1,200 $1,349</td>
</tr>
<tr>
<td>11/12/2008</td>
<td>Kevin Rudd</td>
<td>Prime Minister’s Reception for Senior Officers</td>
<td>The Lodge, Canberra</td>
<td>$1,221 $4,267 $5,488</td>
</tr>
<tr>
<td>22/12/2008</td>
<td>PM&amp;C</td>
<td>Refreshments for Ministerial Meeting on Electoral Reform with Commonwealth, State and Territory ministers</td>
<td>Commonwealth Parliamentary Offices, Sydney</td>
<td>$0 $196 $196</td>
</tr>
<tr>
<td>30/12/2008</td>
<td>PM&amp;C</td>
<td>A Dinner to Honour Public Service Medal recipients announced in the Queen’s Birthday Honours List 2008</td>
<td>The Lobby Restaurant, Canberra</td>
<td>$1,493 $4,747 $6,240</td>
</tr>
<tr>
<td>13/01/2009</td>
<td>Julia Gillard</td>
<td>Dinner to thank Tax Review Committee</td>
<td>Acting Prime Minister’s Dining Room, Parliament House, Canberra</td>
<td>$153 $485 $638</td>
</tr>
<tr>
<td>19/01/2009</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of His Excellency Mr Maxime Verhagen, Minister of Foreign Affairs in the Government of the Kingdom of the Netherlands</td>
<td>Fraser’s Restaurant, Perth</td>
<td>$256 $1,804 $2,060</td>
</tr>
<tr>
<td>Date</td>
<td>Host</td>
<td>Nature of function</td>
<td>Location</td>
<td>Alcohol</td>
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</tr>
<tr>
<td>19/01/2009</td>
<td>Kevin Rudd</td>
<td>Australia Day Reception</td>
<td>Kirribilli House, Kirribilli, Sydney</td>
<td>$1,536 $13,389</td>
</tr>
<tr>
<td>21/01/2009</td>
<td>PM&amp;C</td>
<td>Official Dinner for Indonesian Delegation</td>
<td>PM&amp;C, Canberra</td>
<td>$95 $750 $845</td>
</tr>
<tr>
<td>24/01/2009</td>
<td>Kevin Rudd</td>
<td>Australia Day Reception</td>
<td>Government House, Perth</td>
<td>$2,558 $15,109</td>
</tr>
<tr>
<td>25/01/2009</td>
<td>Kevin Rudd</td>
<td>Morning Tea in honour of the 2009 Australian of the Year Awards National Finalists</td>
<td>The Lodge, Canberra</td>
<td>$0 $1,492 $1,492</td>
</tr>
<tr>
<td>26/01/2009</td>
<td>Kevin Rudd</td>
<td>Australia Day Reception</td>
<td>The Lodge, Canberra</td>
<td>$1,449 $6,842 $8,291</td>
</tr>
<tr>
<td>28/01/2009</td>
<td>Kevin Rudd</td>
<td>Reception on the occasion of the Prime Minister’s XI versus New Zealand Cricket Match</td>
<td>Mural Hall, Parliament House, Canberra</td>
<td>$1,895 $8,032 $9,927</td>
</tr>
<tr>
<td>29/01/2009</td>
<td>Kevin Rudd</td>
<td>Luncheon on the occasion of the Prime Minister’s XI versus New Zealand Cricket Match</td>
<td>The Sir Donald Bradman Stand, Manuka Oval, Canberra</td>
<td>$1,828 $11,033 $12,861</td>
</tr>
<tr>
<td>05/02/2009</td>
<td>Kevin Rudd</td>
<td>Council of Australian Governments Meeting</td>
<td>Council of Australian Governments Meeting</td>
<td>$1,010 $7,799 $8,809</td>
</tr>
<tr>
<td>09/02/2009</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of Mr Lou Jiwei, Chairman and Chief Executive Officer of the China Investment Corporation</td>
<td>The Lodge, Canberra</td>
<td>$929 $1,896 $2,825</td>
</tr>
<tr>
<td>23/02/2009</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of His Excellency Dr Edward Fenech Adami, President of Malta, and Mrs Mary Fenech Adami</td>
<td>Private Dining Room, Parliament House, Canberra</td>
<td>$1,268 $11,347 $12,615</td>
</tr>
<tr>
<td>23/02/2009</td>
<td>Chris Evans</td>
<td>Dinner in honour of His Excellency Mr António Guterres, United Nations High Commissioner for Refugees</td>
<td>Senate Alcove, Parliament House, Canberra</td>
<td>$533 $1,733 $2,266</td>
</tr>
<tr>
<td>25/02/2009</td>
<td>PM&amp;C</td>
<td>Undersea Cables Trilateral</td>
<td>PM&amp;C, Canberra</td>
<td>$0 $373 $373</td>
</tr>
<tr>
<td>25/02/2009</td>
<td>PM&amp;C</td>
<td>Undersea Cables Trilateral - Dinner</td>
<td>Barton ACT, Canberra</td>
<td>$0 $2,109 $2,109</td>
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<td>Dinner in honour of the Honourable John Key, Prime Minister of New Zealand</td>
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<td>$0 $3,441 $3,441</td>
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<tr>
<td>Date</td>
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<td>02/03/2009</td>
<td>PM&amp;C</td>
<td>Will Jessett working lunch</td>
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<td>03/03/2009</td>
<td>PM&amp;C</td>
<td>Dinner hosting CEO of Indonesia’s Maritime Security Board</td>
<td>Ottoman Restaurant Barton, Canberra</td>
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<td>03/03/2009</td>
<td>PM&amp;C</td>
<td>Technical Support Working Group lunch</td>
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<td>04/03/2009</td>
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<td>04/03/2009</td>
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<td>Technical Support Working Group dinner</td>
<td>The Lobby Restaurant, Canberra</td>
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<td>05/03/2009</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of His Excellency Mr Lee Myung-bak, President of the Republic of Korea</td>
<td>Private Dining Room, Parliament House, Canberra</td>
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<td>06/03/2009</td>
<td>PM&amp;C</td>
<td>Michael Hallows working lunch</td>
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<td>12/03/2009</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of His Excellency Mr Nouri Kamil Al-Maliki, Prime Minister of the Republic of Iraq</td>
<td>Private Dining Room, Parliament House, Canberra</td>
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<td>Alan Griffin</td>
<td>Meet the troops at Australian War Memorial - Prime Minister of Iraq</td>
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<td>Simon Crean</td>
<td>Luncheon in honour of His Excellency Mr Luis Guillermo Plata, Minister of Trade, Industry and Tourism in the Government of the Republic of Colombia</td>
<td>Private Dining Room, Parliament House, Canberra</td>
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<td>21/03/2009</td>
<td>Kevin Rudd</td>
<td>Luncheon in honour of His Excellency Mr Li Changchun, member of the Standing Committee of the Political Bureau of the Communist Party of China Central Committee of the People’s Republic of China</td>
<td>The Lodge, Canberra</td>
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<tr>
<td>Date</td>
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<td>Location</td>
<td>Alcohol</td>
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<td>20/04/2009</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of His Excellency Mr Urmas Paet, Minister of Foreign Affairs in the Government of the Republic of Estonia</td>
<td>Fraser’s Restaurant, Perth</td>
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<td>PM&amp;C</td>
<td>Official Hospitality - Indonesian visit</td>
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<td>30/04/2009</td>
<td>Kevin Rudd</td>
<td>Council of Australian Governments Meeting</td>
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<td>Luncheon in honour of His Excellency Mr Hirofumi Nakasone, Minister for Foreign Affairs in the Government of Japan</td>
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<td>06/05/2009</td>
<td>PM&amp;C</td>
<td>Lunch meeting: climate change adaption through land use management</td>
<td>Ottoman Restaurant Barton, Canberra</td>
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<td>06/05/2009</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of Mr Karel De Gucht, Deputy Prime Minister and Minister for Foreign Affairs and Foreign Trade in the Government of Belgium</td>
<td>Fraser’s Restaurant, Perth</td>
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<td>19/05/2009</td>
<td>Martin Ferguson</td>
<td>Luncheon in honour of Mr Andris Piebalgs, European Commissioner for Energy</td>
<td>Cuba Room, Park Hyatt, Melbourne</td>
<td>$401</td>
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<td>20/05/2009</td>
<td>PM&amp;C</td>
<td>Australia New Zealand School of Government function</td>
<td>Hyatt Hotel, Canberra</td>
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<td>27/05/2009</td>
<td>Kevin Rudd</td>
<td>Dinner in honour of the Honourable Nipake Natapeti MP, Prime Minister of the Republic of Vanuatu</td>
<td>Prime Minister’s Dining Room, Parliament House</td>
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<td>Nature of function</td>
<td>Location</td>
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<td>29/05/2009</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of the Honourable Bernard K Membe MP, Minister for Foreign Affairs and International Cooperation in the United Republic of Tanzania</td>
<td>Matilda Bay Restaurant, Perth</td>
<td>$622</td>
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<td>12/06/2009</td>
<td>Stephen Smith</td>
<td>Luncheon in honour of the Honourable Moses Wetang’ula MP, Minister for Foreign Affairs in the Government of the Republic of Kenya</td>
<td>The Dining Room, Bluewater, Duncraig Road, Applecross, WA</td>
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<td>15/06/2009</td>
<td>Stephen Smith</td>
<td>Dinner in honour of the Honourable Mrs Rosemary Museminali, Minister of Foreign Affairs and Regional Cooperation in the Government of Rwanda</td>
<td>Plimsoll Room, Department of Foreign Affairs and Trade</td>
<td>$204</td>
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<td>17/06/2009</td>
<td>Stephen Smith</td>
<td>Dinner in honour of the Honourable Phandu Skelemani, Minister of Foreign Affairs and International Cooperation in the Republic of Botswana</td>
<td>Plimsoll Room, Department of Foreign Affairs and Trade</td>
<td>$194</td>
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<tr>
<td>18/06/2009</td>
<td>PM&amp;C</td>
<td>Dinner with Xavier Mosquet (US) re auto taskforce</td>
<td>Saltwater &amp; MGM Grand Detroit, USA</td>
<td>$183</td>
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</table>

* Note, figures do not cover extraneous costs such as equipment hire.

^ Itemised costs for these functions are not available

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**Hog Deer**

(Question No. 1824)

Senator Milne asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 22 June 2009:

1. Given that in 2007 the Australian Vertebrate Pests Committee identified Hog Deer as an invasive pest species that is widespread, does the Government agree with the Victorian Government’s pest management policy that includes the listing of Hog Deer as a protected threatened species under the Victorian Wildlife Act 1975.

2. Given that Hog Deer is a known national pest found in New South Wales, South Australia and Victoria, is there a consistent national approach to Hog Deer management including, but not limited to, the instruction for each State to eliminate this species; if not, why not; if so, can details be provided.

3. In regard to the implementation of national strategies for pest eradication including the 2007 Australian Pest Animal Strategy and the 1996 National Strategy for the Conservation of Australia's...
Biological Diversity, what action, if any, is the Commonwealth Government prepared to take to ensure ongoing cooperation and compliance from the Victorian Government in the implementation of such national strategies.

(4) (a) What is the extent of damage done by Hog Deer in Victoria, to Ramsar wetlands and Commonwealth-listed threatened species habitat (flora and fauna) and threatened plant communities; and (b) what actions must be undertaken by the Victorian and Commonwealth Governments to mitigate, eliminate and then remediate any affected areas.

(5) What is the Commonwealth Government doing to fulfil its obligations under the international Ramsar agreement.

(6) Given that the 2008 Threatened Species Scientific Committee has already identified that there is an increasing risk that Hog Deer will create widespread environmental damage of significant impact on areas such as sensitive ridges and wetlands, will the Commonwealth Government immediately instruct the Victorian Government to simultaneously implement contemporary pest control measures and a rigorous research program to eliminate Hog Deer; if not, why not.

Senator Wong—The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable senator’s question:

(1) The Vertebrate Pests Committee lists Hog Deer as a serious threat and advises that the species should only be introduced for public display and education purposes, and/or for genuine scientific research approved by the relevant state/territory authority. Individual states and territories are able to use this advice as best fits their situation as the land managers.

(2) The Australian Pest Animal Strategy outlines Australia’s strategy for management of pest animals. This strategy is agreed to by all jurisdictions. Victoria has listed the Hog Deer species as protected wildlife under the Victorian Wildlife Act 1975, and the species is further protected by being declared ‘game’ by a Governor-in-Council Order which amended the existing legislation to further protect the species from being taken outside a prescribed season. Therefore this limits the Commonwealth’s ability to participate in the management of the hog deer in Victoria. The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) provides for the identification and listing of Key Threatening Process, and associated Threat Abatement Plans, which are applicable to land owned or managed by the Commonwealth. This has not been considered necessary for Hog Deer to date. On-ground management on crown and private lands is the responsibility of the respective state governments.

(3) The Australian Pest Animal Strategy is implemented through the Vertebrate Pests Committee and relies on the cooperation of all jurisdictions to achieve the desired outcomes. A Strategy Implementation Group was established and works cooperatively with all jurisdictions. The National Strategy for the Conservation of Australia’s Biological Diversity is currently undergoing a collaborative review with states, territories, and the CSIRO. There will be responsibilities for all jurisdictions in implementing the revised strategy.

(4) The EPBC Act provides for the regulation by the Australian Government of new developments or activities that are likely to have a significant impact on defined matters of national environmental significance, including Ramsar wetlands and listed nationally threatened species. The legislation does not provide the Government with a legal ability to regulate, manage or control Hog Deer. A number of national recovery plans and conservation advices prepared for individual listed species identify trampling, browsing and grazing by feral animals, including Rusa, Sambar and Hog Deer, as ongoing threats to the recovery of the listed species. Control and management of these threats may be considered for funding through Caring for our Country and other programs.

(5) Victoria has direct management responsibility for the Gippsland Lakes Ramsar site and the successful management of the site relies on effective cooperation and partnership between the various
management agencies. The Australian Government is currently funding an Ecological Character Description (ECD) for the Gippsland Lakes Ramsar site which will describe its ecological character and will examine available evidence to consider if the ecological character of the site has changed since the time of listing and the causes of any such changes.

(6) The Commonwealth Government can provide support to the Victorian Government through the various planning and policy documents outlined above. The management of land where Hog Deer live within Victoria is the responsibility of the Victorian Government.

Prime Minister and Cabinet: Consultants

(Question No. 1873)

Senator Barnett asked the Minister representing the Prime Minister, upon notice, on 2 July 2009:

(1) (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (ii) what are the terms of reference, (iii) what is its duration, (iv) what will it cost, and (v) what is the method of procurement (i.e. open tender, direct source, etc.).

(2) Can copies be provided of all the completed consultancies.

(3) (a) How many consultancies are planned or budgeted for: (i) 2009, and (ii) 2010; (b) have these been published in the Annual Procurement Plan on the AusTender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:

(1) (a) and (b) Details of consultancies valued at $10,000 or more are available on the AusTender website: (www.tenders.gov.au), noting that departments have six weeks to report procurement contracts on AusTender.

Details of consultancies over $10,000 are also available in PM&C portfolio agency Annual Reports.

PM&C portfolio agencies have a number of small consultancies valued at less than $10,000 and it is considered an unreasonable diversion of resources to provide these details.

(2) Details of consultancies over the value of $10,000 can be obtained from the AusTender website.

(3) (a) Details of consultancies planned or budgeted for in financial year 2009-10 for PM&C portfolio agencies can be found in each agency’s Annual Procurement Plan.

(b) All known consultancies for financial year 2009-10 have been published in the Annual Procurement Plans for all PM&C portfolio agencies, except the Australian Institute of Family Studies (AIFS). AIFS has budgeted for 13 new low-value consultancies in 2009-10. Annual Procurement Plans as published on Austender are not intended to be an authoritative list – they are rather a “heads up” to the market that the agency might be intending to undertake a significant procurement.

(b) For AIFS:

(i) These consultancies are generally for the purpose of authoring specialised research and issues papers.

(ii) Their duration is generally from 1 - 3 months.

(iii) Their value is less than $10,000
(iv) Direct Source procurement which is justified by the need for specialised professional skills or for independent research or assessment.
(v) Not known at this time.

Finance and Deregulation: Consultants
(Question No. 1884)

Senator Barnett asked the Minister representing the Minister for Finance and Deregulation, upon notice, on 2 July 2009:

(1) (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (ii) what are the terms of reference, (iii) what is its duration, (iv) what will it cost, and (v) what is the method of procurement (i.e. open tender, direct source, etc).
(2) Can copies be provided of all the completed consultancies.
(3) (a) How many consultancies are planned or budgeted for: (i) 2009, and (ii) 2010; (b) have these been published in the Annual Procurement Plan on the AusTender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known.

Senator Conroy—The Minister for Finance and Deregulation has provided the following answer to the honourable senator’s question:

(1) and (2) For details of consultancies over $10,000 for the Department of Finance and Deregulation and its Portfolio Agencies, please refer to the AusTender website (www.tenders.gov.au). Details of consultancies over $10,000 for 2008-09 will also be published in Annual Reports. To provide details of consultancies valued at less than $10,000 would involve an unreasonable diversion of resources.
(3) (a) to (c) Annual Procurement Plans for 2009-10 for the Department of Finance and Deregulation and its Portfolio Agencies are available on the AusTender website. These plans are updated throughout the year.

Infrastructure, Transport, Regional Development and Local Government: Consultants
(Question No. 1885)

Senator Barnett asked the Minister representing the Minister for Infrastructure, Transport, Regional Development and Local Government, upon notice, on 2 July 2009:

(1) (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (ii) what are the terms of reference, (iii) what is its duration, (iv) what will it cost, and (v) what is the method of procurement (i.e. open tender, direct source, etc.).
(2) Can copies be provided of all the completed consultancies.
(3) (a) How many consultancies are planned or budgeted for: (i) 2009, and (ii) 2010; (b) have these been published in the Annual Procurement Plan on the AusTender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known.

Senator Conroy—The Minister for Infrastructure, Transport, Regional Development and Local Government has provided the following answer to the honourable senator’s question:

(1) and (2) All agencies subject to the Financial Management and Accountability Act 1997 are required to report procurement contracts awarded where the contract value is $10,000 or more on AusTender, the government’s tender and procurement reporting system.
It would be an unreasonable diversion of resources for the Department to provide details of consultancies valued at less than $10,000.

(3) The Department has identified one consultancy for 2009 which was published in the Annual Procurement Plan published on AusTender.

**Special Minister of State: Consultants**  
(Question No. 1891)

*Senator Barnett* asked the Special Minister of State, upon notice, on 2 July 2009:

(1) (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (ii) what are the terms of reference, (iii) what is its duration, (iv) what will it cost, and (v) what is the method of procurement (i.e. open tender, direct source, etc.).

(2) Can copies be provided of all the completed consultancies.

(3) (a) How many consultancies are planned or budgeted for: (i) 2009, and (ii) 2010; (b) have these been published in the Annual Procurement Plan on the AusTender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known.

*Senator Ludwig*—The answer to the honourable senator’s questions is as follows:

(1) to (3) Please refer to the Minister representing the Minister for Finance and Deregulation’s response to Question No. 1884.

**Agriculture, Fisheries and Forestry: Consultants**  
(Question No. 1892)

*Senator Barnett* asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 2 July 2009:

(1) (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (ii) what are the terms of reference, (iii) what is its duration, (iv) what will it cost, and (v) what is the method of procurement (i.e. open tender, direct source, etc.).

(2) Can copies be provided of all the completed consultancies.

(3) (a) How many consultancies are planned or budgeted for: (i) 2009, and (ii) 2010; (b) have these been published in the Annual Procurement Plan on the AusTender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known.

*Senator Sherry*—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) The Department of Agriculture, Fisheries and Forestry (the department) is required, under its procurement publishing obligations, to report procurement contracts valued at $10,000 or more on AusTender, the government’s tender and procurement reporting system. Therefore, details on consultancies valued at $10,000 or more is available on the AusTender website (www.tenders.gov.au). In addition, the department reports details of consultancies valued at $10,000 or more in its Annual Reports. The department’s 2007-08 Annual Report is available at www.daff.gov.au/about/annualreport and the 2008-09 Annual Report, when published, will also be available at the same address.
The department does not maintain a central register of contracts valued at less than $10,000 and it would be an unreasonable diversion of departmental resources to ascertain information regarding consultancy contracts valued at less than $10,000.

(2) Details of consultancies value at $10,000 or more can be obtained from the AusTender website.

(3) The department is required, under its procurement publishing obligations, to publish an Annual Procurement Plan (APP) for each financial year on AusTender, the government’s tender and procurement reporting system. Therefore, details of consultancies planned or budgeted for 2009-10 are available on the AusTender website (www.tenders.gov.au).

The department has entered into a number of consultancies for the provision of services since 1 July 2009 in addition to those detailed in the APP. A list of these consultancies is provided at Attachment 1.

These consultancy contracts were not reported in the APP because they were either:

(a) of minor to medium value and the intention of the APP is to provide details of major proposed procurements; or

(b) the need for the consultancy was not foreseen at the time the APP was prepared; or

(c) the procurement was from a panel of providers selected previously through a competitive approach to market.

Attachment A

<table>
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<tr>
<th>Contractor Name</th>
<th>Description Of Services</th>
<th>Value</th>
<th>Contract Start Date</th>
<th>Contract End Date</th>
<th>Selection Process</th>
<th>Consultant Justification</th>
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<tr>
<td>PEST Australia Pty Ltd</td>
<td>Provide training in the use of methyl bromide. Review of aspects of information communication technology design and support services.</td>
<td>12,000</td>
<td>01/07/2009</td>
<td>30/06/2010</td>
<td>Select</td>
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<td>SMS Management and Technology</td>
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<td>IA Group Pty Ltd</td>
<td>Accommodation review. Undertake a client satisfaction and outcomes survey to assess the grant management services provided by third party organisations on behalf of the department.</td>
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<td>Charles Sturt University Faculty of Science School of Agricultural and Wine Sciences</td>
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<td>30,000</td>
<td>24/08/2009</td>
<td>29/08/2009</td>
<td>Select</td>
<td>Special Expertise</td>
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<tr>
<td>Ernst &amp; Young</td>
<td>Financial review of AQIS charges for the Meat Export program.</td>
<td>91,300</td>
<td>01/07/2009</td>
<td>30/06/2010</td>
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<td>Workplace Research Associates Pty Ltd</td>
<td>Analyse organisational arrangements and processes and provide recommendations.</td>
<td>13,860</td>
<td>01/07/2009</td>
<td>30/05/2011</td>
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<td>Special Expertise</td>
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<td>Description Of Services</td>
<td>Value</td>
<td>Contract Start Date</td>
<td>Contract End Date</td>
<td>Selection Process</td>
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<td>Teamic Pty Ltd</td>
<td>Provide professional services as external member of the Audit Committee.</td>
<td>30,000</td>
<td>01/07/2009</td>
<td>30/09/2009</td>
<td>Direct</td>
<td>Special Expertise</td>
</tr>
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<td>Centre for Public Management Pty Ltd</td>
<td>Investigation of misconduct allegations. Review liaison and market access services - National Residue Survey Grains program.</td>
<td>15,000</td>
<td>01/07/2009</td>
<td>30/09/2009</td>
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<td>W J Murray Consultancy Services</td>
<td></td>
<td>38,000</td>
<td>21/07/2009</td>
<td>31/12/2009</td>
<td>Direct</td>
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**Resources and Energy, and Tourism: Consultants**

(Quesition Nos 1893 and 1894)

**Senator Barnett** asked the Minister for Resources and Energy and Minister for Tourism, upon notice, on 2 July 2009:

1. (a) Since November 2007, what is the total number of: (i) completed, and (ii) ongoing, consultancies in the portfolio/agency; and (b) for each consultancy: (i) who is the consultant, (ii) what is the subject matter, (iii) what are the terms of reference, (iv) what is its duration, (v) what will it cost, and (vi) what is the method of procurement (i.e. open tender, direct source, etc).

2. Can copies be provided of all the completed consultancies.

3. (a) How many consultancies are planned or budgeted for: (i) 2009, and (2010); (b) have these been published in the Annual Procurement Plan on the Austender website; if not, why not; and (c) in each case, what is the: (i) subject matter, (ii) duration, (iii) cost, (iv) method of procurement, and (v) name of the consultant if known.

**Senator Carr**—The Minister for Resources and Energy and Minister for Tourism has provided the following answer to the honourable senator’s question:

1. (a)(b)Details of completed and ongoing consultancies from November 2007 which exceed $10,000 (GST Inclusive) for the Department of Resources, Energy and Tourism, Geoscience Australia and the National Offshore Petroleum Safety Authority can be found on the AusTender website at www.tenders.gov.au and in the Agency’s Annual Reports. The Agency considers that providing details on completed and ongoing consultancies under $10,000 (GST Inclusive) would be an unreasonable diversion of resources.

Details of the completed and ongoing consultancies from November 2009, which exceed $400,000 (GST Inclusive) for Tourism Australia are available on the AusTender website at www.tenders.gov.au. Tourism Australia is a body subject to the Commonwealth Authorities and Companies Act 1997 (CAC Act) and are legally and financially separate from the Commonwealth and are not generally subject to the Commonwealth Procurement Guidelines or the obligations and/or requirements of that for a body subject to the Financial Management and Accountability Act 1997. Tourism Australia considers that providing details on completed and ongoing consultancies under $400,000 (GST Inclusive) would be an unreasonable diversion of resources.
(2) Details of consultancies for the Department of Resources, Energy and Tourism, Geoscience Australia and the National Offshore Petroleum Safety Authority over the value of $10,000 (GST Inclusive) can be obtained from the AusTender website.

Details of consultancies for Tourism Australia over the value of $400,000 (GST Inclusive) can be obtained from the AusTender website.

(3) (a) Details of the Agency’s planned and budgeted consultancies for the 2009-2010 financial year are as follows:
- The Department of Resources, Energy and Tourism has four new planned or budgeted consultancies for the period.
- Geoscience Australia has seven planned or budgeted consultancies for the period.
- The National Offshore Petroleum Safety Authority has six planned or budgeted consultancies for the period.
- Tourism Australia has no planned or budgeted consultancies for the period.

(b) Details of the Agency’s consultancies budgeted and planned for in the period that have been published in the Annual Procurement Plan and on the Austender website are as follows:
- The Department of Resources, Energy and Tourism has published four new planned or budgeted consultancies in the 2009-10 Annual Procurement Plan. A number of consultancies that have not been published on the 2009-10 Annual Procurement Plan because the consultancy relates to an ongoing consultancy contract from the previous financial year, the services will be accessed without approaching the open market because the value of the consultancy is below the threshold in Mandatory Procurement Procedures or the services will be accessed through a Deed of Standing Offer arrangement;
- Geoscience Australia has not published five planned or budgeted consultancies in the 2009/2010 Annual Procurement Plan as the consultancies have already been entered into and published on the AusTender website in previous Annual Procurement Plans or the value of the consultancy will be below the threshold in the Mandatory Procurement Procedures;
- The National Offshore Petroleum Safety Authority has published all planned or budgeted for consultancies in the period in the Annual Procurement Plan on AusTender; and
- Tourism Australia has no planned or budgeted for consultancies for the period.

(c) The Details of the Agency’s current consultancies, Deeds of Standing Offers, and previous Annual Procurement Plans are available on the AusTender website.

Wheat Exports Australia
(Question No. 1949)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:
What was the average price paid per tonne in the graphs used by the Minister?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

The graph published by Wheat Exports Australia in the fact sheet ‘bulk wheat exports’ of 1 June 2009 does not indicate the actual price paid per tonne. The prices are an indication of prices on offer at a particular point in time; they are not actual realised prices.

The graph indicates the Chicago Board of Trade futures price and bids by Australian grain merchants (price at which merchants will buy) for wheat (Australian premium white grade) in Australia.

Wheat Exports Australia
(Question No. 1950)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:

What were the assumptions used by Wheat Exports Australia in producing each of the graphs?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

Wheat Exports Australia advise there are no assumptions; the prices are taken from the market on each particular day.

Wheat Exports Australia
(Question No. 1951)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:

Is it a fact that these comparisons are not accurate because they do not take into account the fact that in previous years the Australian Wheat Board would have hedged a large proportion of the crop?
Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:
The market rises and falls as a consequence of domestic and international supply and demand factors. In some years the market rises from the beginning of the year into harvest and in other years it falls from the beginning of the year towards harvest. As such, the Australian Wheat Board Pool was not able to create a premium by hedging each year. Only in the years in which the market fell was the Pool at a premium to the international price due to hedging.

Wheat Exports Australia
(Question No. 1952)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:
With reference to the answer given by the Minister to a question without notice (House of Representatives I, 4 June 2009, p. 5782) in which he stated:
Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:
When were the graphs produced?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:
The graph was produced in May 2009 and published in the Wheat Exports Australia Fact Sheet on 1 June 2009.

Wheat Exports Australia
(Question No. 1953)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:
With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:
Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:
Who produced the graphs?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:
Wheat Exports Australia.
Wheat Exports Australia
(Question No. 1954)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:

Have the graphs and figures used been peer-reviewed; if so, by whom?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

The figures were sourced from the Chicago Board of Trade, the exchange rate from the Australian foreign exchange market, and the Australian wheat prices from Profarmer Australia collected from prices provided to farmers each day.

Wheat Exports Australia
(Question No. 1955)

Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:

Can a copy of the graphs be provided?

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

Yes (see attached).
Senator Nash asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 15 July 2009:

With reference to the answer given by the Minister to a question without notice (House of Representatives Hansard, 4 June 2009, p. 5782) in which he stated:

Wheat Exports Australia, in the information they have provided, have graphs on the three different markers: the Chicago Board of Trade for the international price, the Fremantle price and marker for the west coast price and Newcastle for the east coast price. Before these reforms were introduced, the Chicago price was consistently above what we were getting on the east coast of Australia or the west coast of Australia. But since growers were given a choice as to whom they wanted to sell to, first of all you find that on the east coast of Australia prices have gone up to close to parity with the Chicago price. But in Western Australia there has been a $35 a tonne premium above what they were previously getting, above the Chicago marker, since this was introduced:

In regard to the statement ‘a $35 a tonne premium above what they were previously getting’: (a) what years was the Minister referring to; and (b) what was the price per tonne received for each of the previous years the Minister was referring to.

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(a) The fact sheet published by Wheat Exports Australia (WEA) on 1 June 2009 included data from March 2008 to early May 2009. A copy of the graph showing price fluctuations was included as part of the answer to QoN 1955.
With regard to the statement ‘a $35 a tonne premium above what they were previously getting’, as I advised the House of Representatives on 12 August 2009, I sought further advice from my department on some of the raw data on which the fact sheet was based.

The peak difference between the Freemantle APW1 price and the Newcastle APW1 price was $35 per tonne on 28 October 2008. The peak difference between the Freemantle APW1 price and the Chicago Board of Trade price was $29.62 per tonne as opposed to the $35 per tonne on 28 April 2009 that I quoted that day.

(b) See answer to QoN 1949.

Prime Minister and Cabinet: Water
(Question No. 1957)

Senator Abetz asked the Minister representing the Prime Minister, upon notice, on 21 July 2009:

For the department, each agency of the department and the offices of each Minister/Parliamentary Secretary, in the 2008-09 financial year, how much was spent on:
(a) bottled water;
(b) bulk water;
(c) cooler rental;
(d) cooler hire; and
(e) water delivery

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:
(a) $8,161
(b) Nil
(c) $3,885
(d) Nil
(e) Nil

Details of expenditure by agency are provided in Attachment A.

Attachment A

<table>
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<tr>
<th>Agency</th>
<th>A - Bottled Water</th>
<th>B - Bulk Water</th>
<th>C - Cooler rental</th>
<th>D - Cooler Hire</th>
<th>E - Water delivery</th>
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<td>Department of the Prime Minister and Cabinet</td>
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<td>Agency</td>
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* Cooler rental includes the cost of water dispensed by the cooler and delivery of that water: amounts are not separately identified.