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SITTING DAYS—2010

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- BRISBANE  936AM
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- MELBOURNE 1026AM
- PERTH     585AM
- SYDNEY    630AM

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FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST 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

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. Eric Abetz
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

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. Eric Abetz
Deputy Leader of the Liberal Party of Australia—Senator Hon. George Henry Brandis SC
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 Anne McEwen
Deputy Government Whips—Senators Carol Louise Brown and Helen Beatrice Polley
Chief Opposition Whip—Senator Stephen Shane Parry
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby
The Nationals Whip—Senator John Reginald Williams
Australian Greens Whip—Senator Rachel Mary Siewert
Family First Party Whip—Senator Steve Fielding

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

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

Heads of Parliamentary Departments

Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
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<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
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<tr>
<td>Deputy Prime Minister and Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<tr>
<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
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<tr>
<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM MP</td>
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<tr>
<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
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<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
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<td>Hon. Stephen Smith MP</td>
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<td>Hon. Anthony Albanese MP</td>
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<td>Hon. Jenny Macklin MP</td>
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<td>Minister for Finance and Deregulation</td>
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<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
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<tr>
<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</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 Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
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[The above ministers constitute the cabinet]
GILLARD MINISTRY—continued

Minister for the Arts
Minister for Social Inclusion
Minister for Privacy and Freedom of Information
Minister for Sport
Special Minister of State for the Public Service and Integrity
Assistant Treasurer and Minister for Financial Services and Superannuation
Minister for Employment Participation and Childcare
Minister for Indigenous Employment and Economic Development
Minister for Veterans’ Affairs and Minister for Defence Science and Personnel
Minister for Defence Materiel
Minister for Indigenous Health
Minister for Mental Health and Ageing
Minister for the Status of Women
Minister for Social Housing and Homelessness
Special Minister of State
Minister for Small Business
Minister for Home Affairs and Minister for Justice
Minister for Human Services
Cabinet Secretary
Parliamentary Secretary to the Prime Minister
Parliamentary Secretary to the Treasurer
Parliamentary Secretary for School Education and Workplace Relations
Minister Assisting the Prime Minister on Digital Productivity
Parliamentary Secretary for Trade
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary for Defence
Parliamentary Secretary for Immigration and Citizenship
Parliamentary Secretary for Infrastructure and Transport and
Parliamentary Secretary for Health and Ageing
Parliamentary Secretary for Disabilities and Carers
Parliamentary Secretary for Community Services
Parliamentary Secretary for Sustainability and Urban Water
Minister Assisting on Deregulation
Parliamentary Secretary for Agriculture, Fisheries and Forestry
Minister Assisting the Minister for Tourism
Parliamentary Secretary for Climate Change and Energy Efficiency

Hon. Simon Crean MP
Hon. Tanya Plibersek MP
Hon. Brendan O’Connor MP
Senator Hon. Mark Arbib
Hon. Gary Gray AO, MP
Hon. Bill Shorten MP
Hon. Kate Ellis MP
Senator Hon. Mark Arbib
Hon. Warren Snowdon MP
Hon. Jason Clare MP
Hon. Warren Snowdon MP
Hon. Mark Butler MP
Hon. Kate Ellis MP
Senator Hon. Mark Arbib
Hon. Gary Gray AO, MP
Senator Hon. Nick Sherry
Senator Hon. Kate Lundy
Hon. David Bradbury MP
Senator Hon. Jacinta Collins
Senator Hon. Stephen Conroy
Hon. Justine Elliot MP
Hon. Richard Marles MP
Senator Hon. David Feeney
Senator Hon. Kate Lundy
Hon. Catherine King MP
Senator Hon. Jan McLucas
Hon. Julie Collins MP
Senator Hon. Don Farrell
Hon. Nick Sherry
Hon. Dr Mike Kelly AM, MP
Senator Hon. Nick Sherry
Hon. Mark Dreyfus QC, MP
**SHADOW MINISTRY**

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<tr>
<td>Leader of the Opposition</td>
<td>Hon. Tony Abbott MP</td>
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<td>Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs</td>
<td>Hon. Julie Bishop MP</td>
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<td>and Shadow Minister for Trade</td>
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<td>Leader of the Nationals and Shadow Minister for Infrastructure and</td>
<td>Hon. Warren Truss MP</td>
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<td>Leader of the Opposition in the Senate and Shadow Minister for</td>
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<td>Hon. Joe Hockey MP</td>
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<td>Hon. Christopher Pyne MP</td>
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<td>Manager of Opposition Business in the House</td>
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<td>Senator Hon. Nigel Scullion</td>
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<td>Shadow Minister for Regional Development, Local Government and Water</td>
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<td>and Leader of the Nationals in the Senate</td>
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<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction and</td>
<td>Hon. Andrew Robb AO, MP</td>
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<td>Chairman, Coalition Policy Development Committee</td>
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<tr>
<td>Shadow Minister for Energy and Resources</td>
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<td>Senator Hon. David Johnston</td>
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<td>Hon. Malcolm Turnbull MP</td>
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<td>Shadow Minister for Climate Action, Environment and Heritage</td>
<td>Hon. Greg Hunt MP</td>
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<tr>
<td>Shadow Minister for Productivity and Population and Shadow Minister</td>
<td>Mr Scott Morrison MP</td>
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<td>for Immigration and Citizenship</td>
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<td>Shadow Minister for Innovation, Industry and Science</td>
<td>Mrs Sophie Mirabella MP</td>
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<td>Shadow Minister for Agriculture and Food Security</td>
<td>Hon. John Cobb MP</td>
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<td>Shadow Minister for Small Business, Competition Policy and Consumer</td>
<td>Hon. Bruce Billson MP</td>
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<td>Affairs</td>
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[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Employment Participation Hon. Sussan Ley MP
Shadow Minister for Justice, Customs and Border Protection Mr Michael Keenan MP
Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation Senator Mathias Cormann
Shadow Minister for Childcare and Early Childhood Learning Hon. Sussan Ley MP
Shadow Minister for Universities and Research Senator Hon. Brett Mason
Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House Mr Luke Hartsuyker MP
Shadow Minister for Regional Development and Employment Senator Marise Payne
Shadow Minister for Regional Development Hon. Bob Baldwin MP
Shadow Special Minister of State Hon. Bronwyn Bishop MP
Shadow Minister for COAG Senator Marise Payne
Shadow Minister for Tourism Hon. Bob Baldwin MP
Shadow Minister for Defence Science, Technology and Personnel Mr Stuart Robert MP
Shadow Minister for Veterans’ Affairs Senator Hon. Michael Ronaldson
Shadow Minister for Regional Communications Mr Luke Hartsuyker MP
Shadow Minister for Ageing and Shadow Minister for Mental Health Senator Concetta Fierravanti-Wells
Shadow Minister for Seniors Hon. Bronwyn Bishop MP
Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate Senator Mitch Fifield
Shadow Minister for Housing Senator Marise Payne
Chairman, Scrutiny of Government Waste Committee Mr Jamie Briggs MP
Shadow Cabinet Secretary Hon. Philip Ruddock MP
Shadow Parliamentary Secretary Assisting the Leader of the Opposition Senator Cory Bernardi
Shadow Parliamentary Secretary for International Development Assistance Hon. Teresa Gambbaro MP
Shadow Parliamentary Secretary for Roads and Regional Transport Mr Darren Chester MP
Shadow Parliamentary Secretary to the Shadow Attorney-General Senator Gary Humphries
Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee Hon. Tony Smith MP
Shadow Parliamentary Secretary for Regional Education Senator Fiona Nash
Shadow Parliamentary Secretary for Northern and Remote Australia Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Local Government Mr Don Randall MP
Shadow Parliamentary Secretary for the Murray-Darling Basin Senator Simon Birmingham
Shadow Parliamentary Secretary for Defence Materiel Senator Gary Humphries
Shadow Parliamentary Secretary for the Defence Force and Defence Support Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Primary Healthcare Dr Andrew Southcott MP
SHADOW MINISTRY—continued

Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health
Mr Andrew Laming MP

Shadow Parliamentary Secretary for Supporting Families
Senator Cory Bernardi

Shadow Parliamentary Secretary for the Status of Women
Senator Michaelia Cash

Shadow Parliamentary Secretary for Environment
Senator Simon Birmingham

Shadow Parliamentary Secretary for Citizenship and Settlement
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Immigration
Senator Michaelia Cash

Shadow Parliamentary Secretary for Innovation, Industry, and Science
Senator Hon. Richard Colbeck

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

Shadow Parliamentary Secretary for Small Business and Fair Competition
Senator Scott Ryan
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The President (Senator the Hon. John Hogg) took the chair at 9.30 am and
read prayers.

PETITIONS

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

Active After School Communities Program

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

We the undersigned citizens agree that the Federal Government should continue fund-
ing the Active After School Communities Program.

The program was launched at the Health Lifestyles Forum in Launceston in June 2004 by
former Prime Minister John Howard. The popular successful program has benefited
3,250 schools nationwide with over 150,000 children participating. In Tasmania alone,
over 90 schools are involved, with 5,000 children participating. The program has been
a feature of after school sport and team-playing activities providing funding for re-
gional co-ordinators, grants to help delivery costs, teacher staff supervision, delivery fees,
venue hire and equipment and transport costs giving children an opportunity to participate
in a variety of healthy activities. The program also gives children a safe place to go
after school if no-one is home. The Federal Government has committed funding for the
program only until December 2010, pending a review. The Rudd Government has refused
to confirm its ongoing support and funding for the program despite the program’s sound
health and social benefits and community support.

We the undersigned ask the Senate to do what it can to ensure that funding for this
program continues.

by Senator Barnett (from 325 citizens)

Greater Western Area Health Service

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

The petition of the undersigned shows:

The residents of Goodooga and surrounds in north western New South Wales state that:

Our Community strongly opposes the down-grade and reduction in Health & Emergency
Services provided by Greater Western Area Health Service (GWAHS) & Ambulance
NSW. Our local Ambulance Service has ceased, Meaning a minimum wait of 40
Minutes (79km) from Lightning Ridge depending on availability, plus return travel
before being flown out to Dubbo Base Hospital. Over 19 months ago GWAHS gave 14
days notice of the removal of our Emergency bed and Registered Nurse. Due to media
pressure they conduced an Independent Review, we completed a Health Impact As-
essment and endless hours of consultation, none of which have been included in the new
Plan. The ongoing threat of closure of the Emergency bed is devastating to an already
isolated rural community comprised largely of Indigenous Australians (98%), mostly
ageing or youth. Is this how we want to CLOSE THE GAP in New South Wales?

Your Petitioners ask that the Senate will
pressure the Health Minister and Managerial
staff of Greater Western Area Health Service
to secure the future of our 24 hour Emer-
gency Service and reinstate our Ambulance
Service ASAP.

by Senator Nash (from 135 citizens)

Petitions received.
NOTICES
Presentation

Senator Siewert to move on the next day of sitting:

That the Senate—

(a) notes that 30 September 2010 marked the 60th anniversary of the landmark 1950 report by Doll and Hill in the *British Medical Journal* identifying beyond doubt that smoking causes lung cancer;

(b) acknowledges that since then more than 960 000 Australians have died because they smoked and that given current rates our nation will reach the millionth Australian death from smoking in 2013;

(c) welcomes the introduction of further measures to tackle smoking related harm, including plain packaging and increased taxation measures and the formation of the Australian National Preventive Health Agency;

(d) raises concern that, despite legislation banning tobacco advertising, major tobacco companies funded and directed a $5 million advertising campaign to oppose plain packaging during the recent 2010 Federal election; and

(e) calls on the Government to introduce measures to restrict the ability of tobacco companies to engage in all forms of tobacco promotion, including direct and indirect advertising, advertising through third parties, public relations activities, lobbying activities and donations to political parties.

Withdrawal

Senator MILNE (Tasmania) (9.30 am)—I withdraw general business notice of motion No. 36 standing in my name.

BUSINESS
Rearrangement

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (9.31 am)—I move: That the order of general business for consideration today be as follows:

(a) general business notice of motion no. 48 standing in the name of Senator Fifield relating to election commitments and the introduction of a carbon tax; and

(b) orders of the day relating to government documents.

Question agreed to.

NOTICES
Postponement

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.32 am)—by leave—I move:

That general business notice of notice of motion no. 38 standing in my name for today, relating to the consideration of legislation, be postponed till 25 October 2010.

Question agreed to.

LEAVE OF ABSENCE

Senator PARRY (Tasmania) (9.32 am)—by leave—I move:

That leave of absence be granted to Senators Birmingham, Colbeck and Fierravanti-Wells for today, for personal reasons.

Question agreed to.

NATIVE TITLE AMENDMENT BILL (No. 1) 2010

First Reading

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (9.33 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the *Native Title Act 1993*, and for related purposes.

Question agreed to.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (9.33 am)—I present the bill and 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 LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (9.34 am)—I table an explanatory memorandum relating to the bill and move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—
The Government has a genuine commitment to improving the lives of Indigenous Australians through progressing an agenda that aims to close the gap on Indigenous disadvantage. Housing is at the centre of this commitment.

It is vital to achieving the advances needed in health, education, and employment participation outcomes for Indigenous Australians.

The Native Title Amendment Bill (No. 1) 2010 contains an important measure to complement and assist the agenda to close the gap by facilitating the timely provision of quality public housing and associated infrastructure.

It will facilitate the construction of housing on land in indigenous communities which is, or may be, subject to native title.

The Government has committed an unprecedented $5.5 billion over 10 years to address historic under-funding of housing in remote Indigenous communities.

To ensure the new delivery model for Indigenous housing avoids the pitfalls of the past, secure tenure arrangements are now a requirement of all major investment in housing and other infrastructure. This makes government responsible and accountable for effective management and maintenance of these assets.

However, some state governments have indicated that uncertainty in relation to native title could be a barrier to meeting housing and service delivery targets. There is a risk this will create delays in the delivery of housing.

This Bill introduces a new process specifically for public housing and a limited class of community facilities including education, health and emergency services facilities, and staff housing associated with these facilities.

It will apply primarily to acts of State, Territory and local government bodies.

The new process strikes a balance between the need for these services and the need to engage meaningfully with native title parties and protect native title rights and interests.

It also contains important safeguards to ensure genuine consultation with native title parties.

It sets in place a framework for meaningful engagement with key stakeholders in decisions about housing and other services for Indigenous communities.

The new process sets out reasonable and specific periods for comment and consultation, and provides flexibility to allow native title parties to choose the level of engagement they feel is appropriate for each individual project.

It will be subject to State and Territory heritage processes.

The Bill also enables the Attorney-General to prescribe how consultations with native title parties should occur, including general guidance on the issues to be included in consultation. This includes the capacity to set more detailed requirements such as face to face meetings and provision of interpreters.

The Bill also requires that reports on consultation be provided to the Attorney-General. The Commonwealth may make these reports public, providing for public scrutiny on the new process.

Acts covered by the new process will be invalid if there is a failure to notify, provide a consultation report or observe the minimum specified time periods. This ensures that a proper process is followed and that governments can then be certain that the investment has been validly applied.

Finally, the new process will sunset after 10 years.

The 10 year period approximates the duration of the National Partnership Agreement on Remote Indigenous Housing under which $5.5 billion has been committed.
The Government is determined to continue on the course of resetting the relationship between Indigenous and non-Indigenous Australians and to recognise and respect native title.

Alleviating poverty and improving housing and infrastructure in Indigenous communities is paramount to this effort.

The PRESIDENT—In accordance with standing order 111(6), further consideration of this bill is adjourned to the next day of sitting which is more than 14 days after today.

COMMITTEES

Rural Affairs and Transport References Committee Reference

Senator XENOPHON (South Australia) (9.35 am)—I move:

That the following matters be referred to the Rural Affairs and Transport References Committee for inquiry and report by 17 November 2010:

(a) pilot experience requirements and the consequence of any reduction in flight hour requirements on safety;

(b) the United States of America’s Federal Aviation Administration Extension Act of 2010 which requires a minimum of 1 500 flight hours before a pilot is able to operate on regular public transport services and whether a similar mandatory requirement should be applied in Australia;

(c) current industry practices to recruit pilots, including pay-for-training schemes and the impact such schemes may have on safety;

(d) retention of experienced pilots;

(e) type rating and recurrent training for pilots;

(f) the capacity of the Civil Aviation Safety Authority to appropriately oversee and update safety regulations given the ongoing and rapid development of new technologies and skills shortages in the aviation sector;

(g) the need to provide legislative immunity to pilots and other flight crew who report on safety matters and whether the United States and European approaches would be appropriate in the Australian aviation environment;

(h) reporting of incidents to aviation authorities by pilots, crew and operators and the handling of those reports by the authorities, including the following incidents:

(i) the Jetstar incident at Melbourne airport on 21 June 2007, and

(ii) the Tiger Airways incident, en route from Mackay to Melbourne, on 18 May 2009;

(i) how reporting processes can be strengthened to improve safety and related training, including consideration of the Transport Safety Investigation Amendment (Incident Reports) Bill 2010; and

(j) any other related matters.

Question agreed to.

Community Affairs References Committee Reference

Senator XENOPHON (South Australia) (9.35 am)—I move:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by 18 November 2010:

The prevalence of interactive and online gambling in Australia and the adequacy of the Interactive Gambling Act 2001 to effectively deal with its social and economic impacts, with particular reference to:

(a) the recent growth in interactive sports betting and the changes in online wagering due to new technologies;

(b) the development of new technologies, including mobile phones, smart phones and interactive television, that increase the risk and incidence of problem gambling;

(c) the relative regulatory frameworks of online and non-online gambling;

(d) inducements to bet on sporting events online;
the risk of match-fixing in sports as a result of the types of bets available online, and whether certain types of bets should be prohibited, such as spot-betting in sports which may expose sports to corruption;

(f) the impact of betting exchanges, including the ability to bet on losing outcomes;

(g) the implications of betting on political events, particularly election outcomes;

(h) appropriate regulation, including codes of disclosure, for persons betting on events over which they have some participation or special knowledge, including match-fixing of sporting events; and

(i) any other related matters.

Question agreed to.

TRANSPORT SAFETY INVESTIGATION AMENDMENT (INCIDENT REPORTS) BILL 2010

WATER (CRISIS POWERS AND FLOODWATER DIVERSION) BILL 2010

FOOD STANDARDS AMENDMENT (TRUTH IN LABELLING—PALM OIL) BILL 2010

First Reading

Senator XENOPHON (South Australia) (9.36 am)—I, and also on behalf of Senators Hanson-Young and Bob Brown, move:

That the following bills be introduced: A Bill for an Act to amend the Transport Safety Investigation Act 2003 to prevent interference with incident reports, and for related purposes, a Bill for an Act to enable the Murray-Darling Basin Authority to manage the water resources of the Basin as a single system during periods of extreme crisis, and for related purposes, and a Bill for an Act to provide for the accurate labelling of palm oil in food, and for related purposes.

Question agreed to.

Second Reading

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

Question agreed to.

Bills read a first time.

TRANSPORT SAFETY INVESTIGATION AMENDMENT (INCIDENT REPORTS) BILL 2010

Every day, thousands upon thousands of people put their trust in pilots to get them from ‘Point A’ to ‘Point B’ safely.

And with the advent of low-cost carriers it’s fair to say more and more people are flying more and more often.

In the past decade, air travel has grown by 7 percent per year and it’s expected to remain at this rate of growth in years to come.

Thankfully, the incidence of plane crashes in Australia is exceptionally low.

And we need to do whatever it takes to ensure that this remains the case.

It’s axiomatic that there’s very little margin for error when it comes to flying aircraft, and it’s essential with the absolute best flying our planes.

On 21 July 2007, a Jetstar Airbus A320 was being flown from Christchurch to Melbourne.

Upon its approach into a foggy Melbourne, the pilot in command did not perform the go-around procedure correctly and, in the process, the crew were unaware that the aircraft was continuing to descend.

The aircraft came within 38 feet of the ground before anyone realised.

After re-climbing, the pilot then attempted to land a second time but this had to be diverted again
due to the fog. The plane eventually landed safely at Avalon airport.

Upon their return to New Zealand, the crew reported the incident to the airline operator, who took five days before reporting the incident to the Australian Transport Safety Bureau.

It was later revealed, however, that the internal report given to the ATSB by the operator excluded key information which led to the authority determining that a formal investigation was not required.

It was only after media reports some months later that the ATSB made further inquiries into the incident and discovered the withheld information.

It seems the information given to the ATSB at first instance did not tell the whole story.

The ATSB subsequently found that an investigation was required and its report was highly critical.

As a result, Jetstar adopted Airbus’s standard procedures for go-arounds, and instigated a review of its third party training procedures.

Indeed, the 21 July Jetstar incident may not have seen the light of day had it not been for third parties coming forward with information.

Under the Act, ‘responsible persons’ (such as pilots, airline operators, etc.) are required to report all reportable matters to a ‘nominated official’ (such as the Australian Transport Safety Board) as soon as is reasonably practicable.

However, there are currently no penalties for altered reports being provided to aviation authorities.

This Bill seeks to remedy this, and to ensure all reports given to authorities about incidents are accurate and true to the events that occurred.

This aims to ensure that safety measures can be reviewed, training processes addressed and protocols investigated.

Without incidents being reported and properly investigated, the whole industry will suffer, and this Bill seeks to improve the ongoing safety standards in Australia’s aviation sector.

———

WATER (CRISIS POWERS AND FLOODWATER DIVERSION) BILL 2010

For the first time in a very long time, water is flowing into the Lower Lakes of the Murray River.

Thanks to heavy rains this winter, the Lower Lakes will be full for the first time in five years.

Fish and bird species will be pulled back from the brink, and irrigators and businesses finally have something to celebrate.

But we cannot forget that we are only one small step – a dry winter, a new raft of water licences upstream – from ending up right where we were.

The state of the Murray Darling Basin is still the most pressing environmental and social crisis this nation faces.

For more than a century, state and federal governments have treated this river like some kind of magic pudding.

They have over-allocated the river time and time again, and my home state of South Australia has paid the heaviest price.

We were the ones being asked to watch the Lower Lakes die.

Our irrigators were the ones who are suffering the most – and, despite the recent influx of water, are still suffering.

And all of us are the ones still facing the very real prospect of not having enough water for critical human needs within a decade.

I must say, the response to this current crisis by the state and federal governments has been nothing short of underwhelming.

The Council of Australian Governments agreement on the Murray Darling Basin has so many holes in it that if it were a boat, it would sink.

I have said on numerous occasions that I believe only a federal take-over will achieve the once in a hundred years fundamental reform of the river system that is so desperately needed.

We need one river system with one set of rules. And only a true national take-over can achieve that.

However, in the absence of a full federal take-over, this Bill gives the Murray Darling Basin Authority the power to manage the water re-
sources of the Basin as a single system during periods of extreme crisis, in situations where there is significant rainfall in other areas of Australia.

This would mean that one single Authority will be able to make decisions as and when action is required in the overall, national and best interest of the Murray Darling Basin, rather than relying on the individual and, perhaps at times, selfish interests of each state and territory coming into play.

There have been two occasions this year in Queensland, where floods and heavy rain have resulted in overflowing rivers.

Each year, wild weather events around the country continue to take place – flooding in the north while there’s drought in the south.

There’s no doubt we are seeing the effects of climate change, and given the situation our Lakes are facing, it only makes sense to send these waters south.

I was pleased that, earlier this year, New South Wales reached an agreement with South Australia to divert 148 gigalitres to South Australia, just enough to save Lake Alexandrina and Lake Albert for at least another year.

While this generosity is appreciated, it seems like South Australia is constantly being left to beg for water from the eastern states.

And of course, this new influx has made an incredible difference.

But what if it hadn’t happened? What if there hadn’t been the heavy rain to finally fill the River?

South Australia would have still had that agreement, and Lakes Albert and Alexandrina would have survived for another year.

But there would be no certainty beyond that.

Under this Bill, in events of significant rainfall in areas of Australia and during periods of extreme crisis, the Murray Darling Basin Authority will take full responsibility for the management of water resources.

I have consulted the experts on this issue in developing this Bill and at this time I would like to take a moment to thank Professor Mike Young from the University of Adelaide for his time.

Based on science, the definition of an extreme crisis under this Bill is considered to be:

When the level of water in lake Alexandrina is continuously less than +0.0 Australian Height Datum (sea level) for more than 3 consecutive months; and,

When allocations to high security water entitlement holders in any irrigation district have been below 20 percent for more than 2 consecutive years.

If the lakes are below sea level then quite simply no water can flow to the Coorong.

Under this Bill, when these levels or periods are reached, the Murray Darling Basin Authority will be able to address the crisis not only from a national perspective, but to ensure the Lower Lakes survive.

This Bill gives the Authority the power to make sure the groundwater and surface water allocations are at the level necessary for system maintenance and to maintain river heights at a minimum level; for the environment; for salinity management and for water uses and holders and water access entitlements or water access rights.

It will also empower the Murray Darling Basin Authority to share, manage and allocate Basin water resources, make allocations to entitlement holders and allow the diversion of water from flood-affected states or where there is significant rainfall.

The reason the Murray Darling Basin Authority would have these powers is because, as a national body, it will act in the interest of all states and territories.

Currently, we have states and territories, each with vested interests making decisions about the Murray Darling in the interest of their own states.

But what is needed in the long term is a full federal takeover – one concentrated authority – to make decisions about the Murray Darling in the best interest of the river and of the nation.

I understand that the Authority’s Basin Plan is still to be released – I hope we will see it soon – but we cannot afford to relax just because everything's looking good at the moment.
I believe it’s vital that we secure the future of our rivers – and make sure we never go back to where we’ve been.

FOOD STANDARDS AMENDMENT
(THIRD IN LABELLING—PALM OIL)
BILL 2010

When you’re shopping for your weekly groceries at the supermarket, and you turn over the packet to read the ingredients of a bag of chips, a block of chocolate or a box of biscuits, you’d expect that “what you see is what you get”.

But, believe it or not, that’s not always the case.

And what’s being hidden from us is potentially impacting our health, and is destroying the environment.

Palm oil is one of the world’s leading agricultural commodities and is widely used as an ingredient in food products, cosmetics and other household items.

In fact, palm oil can be found in approximately 40 percent of food products at the supermarket, and every year, the average Australian consumes around 10 kilograms of palm oil without even knowing it.

Instead, under the current food labelling laws, manufacturers are able to label palm oil as “vegetable oil” on their packaging.

Well, for starters, the oil palm is a fruit, not a vegetable.

Secondly, palm oil is high in saturated fat and low in polyunsaturated fat, and, according to the Heart Foundation, biomedical research indicates that the consumption of palm oil increases the risk of heart disease.

Thirdly, in South East Asia alone, the equivalent of 300 soccer fields are deforested every hour for oil palm plantations, and each year more than 1,000 Orang-utans die as a result of land clearing in this region.

There’s no question that the current labelling laws are inadequate and are misleading consumers.

Being allowed to disguise palm oil as “vegetable oil” means that Australians aren’t able to make an informed choice for themselves and for their family about what they buy at the supermarket because they’re not being given all the facts.

Zoos Victoria, Adelaide Zoo and Auckland Zoo in New Zealand recently launched the “Don’t Palm Us Off” campaign calling for palm oil to be labelled specifically on food packaging.

In the first twelve months of the campaign, over 130,000 people signed on to show their concern about palm oil.

So, the community is behind this Bill.

Some manufacturers are even behind this Bill.

Yet why isn’t it compulsory for palm oil to be specifically listed as an ingredient on all packaging?

Put simply, if we are what we eat, we have a right to know what we are eating, and this Bill will give consumers truthful, accurate and clear information about what they are purchasing.

May I take a moment at this time to acknowledge the support of my colleague, the Leader of the Australian Greens, Senator Bob Brown, who has co-sponsored both this Bill with me.

Senator Brown’s continued support and work towards ensuring consumer protection and seeking improvement in labelling laws for the betterment of the public is encouraging and admirable.

In the United States, the Code of Federal Regulations requires that each individual fat and/or oil ingredient of a food is to be declared by its specific common or usual name.

That is, palm oil is listed as “palm oil”.

Similarly, under the provisions of this Bill, regardless of the amount of palm oil used in the food or to produce the food, palm oil must be listed as an ingredient of the food.

It’s important to be clear that this Bill is not calling for a boycott of products which contain palm oil – rather, it is designed to enable consumers to know the whole truth about the ingredients that particular product contains so that they can make their own choice prior to purchase.

Just like the inclusion of wheat in a product is labelled to inform consumers with possible allergies, so too should shoppers be told that palm oil is contained in a particular food product.
Since announcing my intention to move this Bill, I have been contacted by a dozens of people, outraged that they didn’t know and couldn’t tell that palm oil was an ingredient in their food. And I share their frustrations.

Consumers should be able to trust that when the list of ingredients is printed on the packaging, that ALL the ingredients are included in that list.

But quite simply, under today’s current food labelling laws, they’re not.

The current rules means Australians can’t trust what they read on the packaging.

On the issue of conservation – palm oil can be produced sustainably and manufacturers should be encouraged to use certified sustainable palm oil rather than palm oil which is produced as a result of deforestation and loss of wildlife habitat. In Malaysia and Indonesia, for example, a farmer will chop down all the trees on his land and sell the timber for money. He’ll then burn the stumps and plant oil palm which is fast growing and from which he can crush the fruit to produce palm oil and also sell the shells of the palm fruit as food for cattle.

But by cutting down these trees, Orang-utans lose their habitat. In fact, 90 percent of Orangutan habitat has been lost already and it’s forecast that at the current rate of deforestation, Orang-utans could be extinct in the wild in less than 10 years.

And on a broader scale, the environmental impact of deforestation is significant. How can we be serious about looking after the environment, when we’re not encouraging businesses to farm sustainably?

Palm oil can be produced sustainably. Under criteria set out by the international Roundtable on Sustainable Palm Oil, sustainable palm oil plantations are ones which are established in already cleared land, rather than through deforestation.

It also includes requirements for reforestation along the river-line, bans on pesticides, appropriate labour conditions and wildlife friendly practices.

Under this Bill, manufacturers who use certified sustainable palm oil will be able to list the use of the ingredient as “CS Palm Oil” to indicate its sustainable origins and to show consumers that they are sourcing their ingredient from a sustainable oil palm plantation.

This Bill will encourage food manufacturers to purchase from sustainable palm oil producers and will provide consumers with all the information they need to make their own choice.

Calling palm oil “vegetable oil” is misleading. Not telling Australians that palm oil is one of the ingredients in or used to make a product is unfair.

This Bill will make it compulsory for manufacturers to list palm oil as a specific ingredient if palm oil has been used in the food or to produce the food.

Consumers have a right to know and this Bill gives them that right.

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

Leave granted; debate adjourned.

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

FAIR WORK AMENDMENT (PAID PARENTAL LEAVE) BILL 2010

First Reading

Senator HANSON-YOUNG (South Australia) (9.39 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the Fair Work Act 2009 to guarantee 26 weeks government-funded paid parental leave, and for related purposes.

Question agreed to.

Senator HANSON-YOUNG (South Australia) (9.39 am)—I present the bill and 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 HANSON-YOUNG (South Australia) (9.38 am)—I move:

That this bill be now read a second time.
I seek leave to table the explanatory memorandum to the bill and to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The Fair Work Amendment (Paid Parental Leave) Bill 2010 amends the Fair Work Act 2009 and builds upon the existing provisions for unpaid parental leave, to provide for a system of paid parental leave that will assist all eligible Australian parents who take time off from their employment upon the birth or adoption of a child.

The Greens Bill for six month leave, plus superannuation, is not intended to be in addition to the Government’s 18 week scheme, but rather the preferred model that should be adopted.

For more than thirty years, Australian women have been calling for action on paid parental leave, and despite a commitment in last night’s budget for the introduction of an 18 week scheme, the fact that it will be delayed until 2011 suggests that the Government is not really serious about this basic workplace entitlement.

Paid parental leave is, and should be, viewed as an important pillar of childhood development, and last night’s budget proved the opportune time to immediately invest in, and stimulate our economy, and putting money in the pockets of parents is the obvious way to go.

Research conducted by the Australia Institute in 2009 suggests that “the spending and living patterns of young families combine to create a strong economic case for introducing paid parental leave,” again highlighting, the obvious benefits such a scheme would have on the economy.

Paid parental leave has been long standing Green policy, and legislative action on this issue has been long overdue. And while it is often said that Australia is only one of two OECD countries without a universal scheme of paid parental leave, we must remember that more than 50% of American women are eligible for some form of government-funded paid parental leave, while more than two-thirds of Australian working women continue to miss out.

When you consider that Sweden offer 47 weeks, New Zealand offer 28 weeks, Finland offer 32 weeks, and even Spain offer 27 weeks, the fact that Australia is still behind the eight ball on these basic supports for working families is concerning. Paid parental leave must be seen as a workplace entitlement, and this includes ensuring that any payment must be treated as a wage for the purposes of taxation, superannuation and other related laws and agreements.

The fact that the unpaid parental leave provisions are included in the Fair Work Act, suggests that paid parental leave is an obvious inclusion, yet the Government’s scheme fails to acknowledge the significance of workplace attachment, by making it a social security payment.

This legislation therefore, amends the Fair Work Act to provide for 26 weeks Government-funded paid leave at or around the birth or adoption of a child for all eligible Australian parents, at the level of the minimum wage, or if they earn less than this (eg. part-time or casual workers), at their average wage, with a guaranteed income and a right to return to work at the end of it.

What the Bill does:

Essentially, this Bill provides paid leave for all eligible parents—mothers and fathers, adoptive parents, parents in same-sex relationships, and those working in both the public and private sectors, and the self employed—who have worked for their current employer for a minimum of 12 months.

This Bill requires that six weeks leave is quarantined solely for the birth mother as birth related leave, with the remaining 20 weeks may be split between the two parents at their discretion. Eligible adoptive parents can share the 26 weeks.

This Bill also ensures that if an eligible employee takes a period of paid parental leave, then neither the employee or the employee’s spouse or de facto partner is entitled to the Baby Bonus or any other paid maternity, paternity, or parental leave payment under any other Commonwealth, state or territory law.

Paid parental leave is not intended to discriminate against at-home parents; rather, it is to facilitate workplace attachment, as an entitlement for employees.
The importance of recognising paid parental leave as a workplace entitlement is essential, and this Bill will ensure that just like long service leave or sick leave, employees will continue to accumulate superannuation payments.

Cost to the Government:
It is estimated that the total net cost of the Paid Parental Leave scheme contained in this Bill is approximately $740 million per annum for Government and approximately $90 million per annum for business, making a net cost of approximately $830 million per annum.

Community support for Parental Leave:
Support for parental leave has been gaining momentum for years, and while Parliamentary action on this issue is long overdue, we must recognise the tireless efforts of another South Australian, who introduced the first paid maternity leave Bill back in 2002, former Senator Natasha Stott Despoja.

The National Foundation for Australian Women, the YWCA, the Commission for Children and Young People, the World Health Organisation, the Public Health Association, the Australian Breastfeeding Association, Unions NSW, the National Tertiary Education Union, the Community and Public Sector Union, and the Liquor, Hospitality and Miscellaneous Union, have all advocated for a 26-week, government-funded paid parental leave scheme to be introduced in Australia.

Given the World Health Organization, the Australian Breastfeeding Association and the Public Health Association all advocate 26-weeks paid leave for mothers promoting and supporting exclusive breastfeeding for six months, again highlights the community and sector support for such a scheme.

In 2009 Auspoll released research - commissioned by the National Foundation for Australian Women, Unions NSW, Commission for Children and Young People, Catalyst Australia and the YWCA Australia surveyed 1703 respondents aged between 18 and 64 years on their views on paid parental leave and tax.

The research showed that four out of five Australians – 82 per cent - would prefer the Federal Budget to fund parental leave rather than tax breaks for high income earners.

Paid parental leave – it’s affordable:
According to a recent report commissioned by the Australia Institute, entitled Long overdue: The macroeconomic benefits of paid parental leave, the introduction of a paid parental leave scheme in Australia would pay for itself, stimulate the economy and create 9,000 new jobs.

Support for parents in their efforts to care for their newborn children is an essential component of any Government policy that aims to promote the health and well-being of infants, and invest in the long-term health and educational outcomes of children.

This legislation will ensure that paid parental leave is finally viewed as a workplace entitlement in the true sense of the word. It is time to stop punishing Australian families for having children, and start valuing the work of mothers and fathers and appreciate the economic benefits of introducing a paid parental leave scheme, not only for the economy, but also for the community.

We know we can afford it, we know it’s beneficial for the economy, and we know the majority of Australians support it.

It is time for the Government to look closely at the Greens fully-costed model for 26-weeks paid parental leave to get the ball rolling on this basic workplace entitlement.

I commend this Bill to the Senate.
That the following bills be introduced: A Bill for an Act to provide for environmentally sustainable use of resources and best practice in waste management by establishing a national beverage container deposit and recovery scheme, and for related purposes, a Bill for an Act to amend the Defence Act 1903 to provide for parliamentary approval of overseas service by members of the Defence Force and a Bill for an Act to prohibit disruptive advertising during SBS television programs, and for related purposes.

Question agreed to.

Senator LUDLAM (Western Australia)
(9.41 am)—I present the bills and move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator LUDLAM (Western Australia)
(9.41 am)—I move:

That these bills be now read a second time.

I seek leave to table explanatory memoranda relating to the bills and to have the second reading speeches incorporated in Hansard.

Leave granted.

The speeches read as follows—

ENVIRONMENT PROTECTION (BEVERAGE CONTAINER DEPOSIT AND RECOVERY SCHEME) BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

Australia needs a national container deposit scheme. This Bill proposes a 10 cent deposit on bottles, cans and cartons, and a national scheme to help us recycle much more of the waste that we are creating.

In 2008 I participated in an inquiry into CDL in which all the benefits were canvassed, evidence put on the table and quite a strong report produced. The recommendation was however to send the idea to COAG: specifically to the EPHC, from where very little has been heard ever since. That was a year ago. Since then, Australians consumed over 11 billion containers in 2009 – 3.8 billion glass bottles, 69 million steel cans, 3.2 billion aluminium cans, 2.6 billion polyethylene terephylene (PET) bottles, and 1.4 billion high density polyethylene (HDPE) bottles. Currently, 512,000 tonnes of containers winds up in landfill.

Other countries have shown how effective container deposit schemes can be in creating jobs, reducing litter, saving water and achieving behaviour change. Valuable lessons have also been learned from the South Australian scheme, which has been in operation since 1977 and works in conjunction with kerbside schemes.

South Australia has achieved a recovery rate of over 80% of containers, with 1.5 tonnes per person recycled per year. Some South Australian councils have reported incomes of up to $90,000 per year from the scheme, and community organisations that operate collection depots fund their numerous activities, with the Scouts earning approximately $9 million per year from recycling containers. In 2009, the South Australian environment minister was able to announce on Clean Up Australia Day an increase of 19 million containers returned in three months, compared to the same three months the previous year.

Other jurisdictions have also recognised the merit of a container deposit scheme. The labour government in Northern Territory has recently announced it will introduce a scheme - their Chief Minister said he was sick of waiting for a national scheme. He said “I’m taking the lead and hope that other states will follow”. Now there are Australian Greens’ private members bills in progress in Victoria and NSW. Almost all the community sector and industry have indicated that a national scheme will provide significant efficiency gains over individual state schemes and provide uniform market conditions across the country. With this in mind, The Greens believe that we need national leadership to provide some consistency and direction on waste and recycling. The greens, have ran out of patience watching the bungling and inaction that has characterised Minister Garrett’s tenure of the ‘so called’ Environment Protection & Heritage Council which has
been unable to deliver on promises to phase out plastic bags, reduce packaging resources lost to landfill, and start to tackle growing mountains of e-waste. If the Environment Minister won’t act on an issue that over 90% of the Australian population wants and is prepared to pay for, the greens will.

A ten cent deposit means that we attach a value to a drink container, so it isn’t rubbish. And if someone does litter a 10 cent container, someone else will pick it up. This represents a radical change from how we view rubbish and recycling. A 10 cent deposit on bottles, cans and cartons turns people who litter into recyclers. It changes how they view the empty bottle in their hand. They are about to throw it out the car window, but they paid 10 cents for it. It is worth something, so it isn’t rubbish. You wouldn’t toss a silver coin onto the ground.

There are tangible economic, social and environmental benefits of the scheme. It will create a fund that will meet all of the government’s costs in the scheme, with money left over to promote recycling. It will create hundreds of new jobs. It will save ratepayers over $44.8 million annually. Every single municipality will benefit financially. Litter in our park, beaches and roadsides will decrease by 12-15%, recycling of drink containers will increase from around 50% to over 80%, and over 512,000 tonnes of reusable materials will be diverted from landfill.

This container deposit scheme will reduce Australia’s greenhouse gas emissions, reduce water use and improve air quality. Recycling container deposits will reduce our greenhouse gas emissions by nearly 1 million tonnes of CO2 per year – the equivalent of switching 135,000 homes to 100% renewable energy. The scheme will save enough water to permanently supply over 30,000 Australian homes. It will deliver the air quality improvements equivalent to taking 56,000 cars off the road.

These aren’t just figures pulled out of the air. They were calculated using government and industry sources.

The greatest boost in recycling from a container deposit system is that it creates away-from-home recycling. About half of our drink containers are used away from home, at cafes and food courts, at restaurants, in our public parks, at sports grounds, at the beach, and in offices. A container deposit system works in well with kerbside recycling. It decreases the volume of drink containers in the bin, but increases the value of those containers. This makes kerbside recycling more profitable.

In California, container deposit systems financially underpin kerbside by US $50 million per year. In Canada, kerbside collection and container deposits work side by side.

The public recognise that a container deposit scheme will mean payment of an upfront deposit. A 2004 Newspoll indicated a very high willingness to pay: 96% were prepared to pay 5 cents, 89% were prepared to pay 10 cents, and 75% were prepared to pay 20 cents. According to a 2006 Newspoll, 94% of Victorians want a container deposit system. Even when people don’t seek to redeem the deposit – they support it in principle. Most people who have attended community meetings organised by the Greens on container deposits want to donate their refund to charity.

It would appear that several very powerful packaging companies and drink companies do not want a container deposit scheme. While these are very powerful lobbies, who have been so powerful as to delay something sensible like this for a long time, they do not represent over 90% of the population.

The packaging industry makes alarmist statements about the price hike on a slab of beer, yet beer drinkers also care about the environment and know they can get the deposit back, or they can donate it to the local footy club. For such a tiny up-front investment, the benefits are profound.

Across the country there is support for the concept of container deposits, and not only from environment groups, but from Probus clubs, the Scouts and many others. Local government also supports the idea of container deposit schemes and across party lines too. Everyone supports it, except packaging companies, and drink companies like Fosters, Schweppes and Coca Cola, and their highly paid lobbyists.

The more comprehensive a scheme is, the better it works. Historically, schemes were set up by the beverage industry, and they naturally only wanted...
to capture the most profitable materials for resale, or their own materials. This makes the scheme confusing for the public to use, and as time moves on, those schemes need updating.

In this scheme, the intention is to capture all bottles, cans and cartons of drink. This means everything from a plastic water bottle, to a glass whisky bottle, to a carton of soy milk. It means every kind of fizzy drink, wine bottles and juice poppers.

The recent update in New York State is a good example. When their container deposit scheme was introduced, bottled water was a rarity, so it wasn’t included. It has taken years of campaigning to get the Bigger Better Bottle Bill through their legislature to include bottled water. In the Australian scheme proposed in this Bill, every container under 4 litres – that is, every bottle, can, carton or composite container - is included by default.

The benefit of the Department of the Environment, Water, Heritage and the Arts holding the purse strings is that they will retain funds from unredeemed deposits which can be used to self-fund the scheme’s administrative costs as well as public education materials to promote recycling and increase awareness of its benefits. The scheme is self-funding, and the unredeemed deposit fund is one of three main funding sources. It also enables levy funds to be used for supporting kerbside recycling services, offsetting the collection industry costs for the operation of the Scheme, product development to improve the recyclability and reusability of beverage containers, and so on.

In California, the unredeemed deposit fund is administered by the state. The Californian unredeemed deposits fund pays for the container deposit scheme. It also underpins their kerbside collection to the tune of US $50 million dollars a year. The Governor’s budget also includes funding from the unredeemed deposit fund for education programs on recycling. They are even talking about expanding the scheme, so it will include food containers, and even non-food containers, like shampoo.

In New York, by contrast, they have a more old fashioned scheme, which is run by the beverage companies. Their recent legislation – the Bigger Better Bottle Bill – requires 80% of those unredeemed deposits to be given to the state. This has modernised their scheme.

The South Australian system uses a similar system to that in New York, where the beverage companies own the unredeemed deposits.

If we are setting up a new scheme, it should be in line with the best practice around the world. It should pay for itself, including all administrative costs, so there is no burden on the state.

A lot of the on-ground administration is handled by the largest recycling enterprises in the scheme. They are called authorised transfer stations in the Bill. That is a good description, because many existing transfer stations will adapt to a container deposit scheme without skipping a beat.

The transfer stations will do a lot of the on-ground administration of the scheme. They liaise with the authorised depots and the other large collectors, and they keep the Department’s administrative function to a minimum.

The transfer stations will make arrangements to pay transaction fees to the depots, and disburse refunds to the other large collectors, such as local councils, commercial and industrial and large community collectors, who would bring their containers directly to the Hub rather than via a depot.

Those commercial arrangements are not prescribed in this Bill.

The transfer stations also sell the recyclate – that is, the plastic, aluminium, glass, liquid paperboard and so on. The sale of recyclate is the second of the three funding streams for the scheme.

Every month, the transfer stations make a report to the Department on the number and types of empty beverage containers received and processed. The reports from Authorised Transfer Stations will provide the Department with the data it needs to report to the Minister.

The establishment of these transfer stations will have consequences far beyond beverage containers.

Once we have the transfer stations established, in time they can be expanded to service other extended producer responsibility schemes for TVs, computers, compact fluorescent lights, car battery-
ies, and tyres. All the so-called priority wastes that the Environment Protection & Heritage Council, chaired by Minister Garrett has repeatedly promised to address, but continually fail to address.

The Department will approve premises to be an authorised collection depot, and the Bill sets out these arrangements, but after that, it is basically hands-off. The depots run themselves, and report to the transfer stations. The transfer stations will pay depots a transaction fee per item.

The Department reimburses the depots for all the 10 cent refunds they have paid out, but the scheme is flexible enough that the Department may choose to make arrangements for the transfer stations to perform that function, when they pay for the containers.

Depots are where people will take their used containers to get a refund. They will be everywhere. Business owners are keen to establish depots, at no cost to the ratepayer.

We need a drink container deposit scheme to create the transfer stations and make them profitable. Environment Victoria’s Green Jobs Report quotes the United States EPA:

“A commonly used rule of thumb is that ‘incinerating 10,000 tonnes of waste creates one job; landfilling 10,000 tonnes of waste creates six jobs; and recycling 10,000 tonnes of waste creates 36 jobs’”

Using that rule of thumb, this scheme would create around 2,600 jobs by diverting hundreds of thousands of tonnes of drink containers from landfill to recycling. The Boomerang Alliance estimates that collection and sorting alone will create at least 1,000 new jobs.

The Australian Council of Recyclers and the Boomerang Alliance’s new estimates that every tonne of waste and reprocessed in Australia creates another $775 in new economic value along the recycling supply chain. Using these calculations this bill has the potential to deliver some $573million of economic growth – a substantial contribution to Australia economic recovery.

In this Bill, the Importer or Producer of a beverage container is liable to pay the beverage container environmental levy, unless they are granted an exemption. The penalty for not doing so is high. It is equivalent to the penalties for works approval offences, waste discharge offences, licence offences and pollution abatement notice offences under the Act.

In this Bill, drink container deposits are worth 10 cents. It enables a higher amount to be set by regulation. Ten cents is consistent with the 10 cent levy in the South Australian container deposit scheme. It is the levy amount announced by the Northern Territory Government on 11 March 2009.

Manufacturers or importers must pay the levy in a timely manner, once the drink has been put onto the market. This enables the levies to be received by the Department’s Fund before refunds are reimbursed to authorised depots and transfer stations.

This Bill ensures that all beverage containers sold in Australia must be labelled as refundable. The labelling requirements are similar to those required by the South Australian beverage container scheme. The intention is that there are no new difficult labelling requirements. Grab an empty container off the street – there are plenty lying around – and you will see a label saying “10c refund when purchased in SA”. They could simply delete “when purchased in SA”.

Many depots will be Reverse Vending Machines – particularly in metropolitan areas.

Reverse Vending Machines are exactly what they sound like. You put in an empty container, push a button, and it gives you 10 cents. They read a bar-code, which tells them all about the product. They crush and sort the container, even separating them into individual colours significantly lifting the value of the recyclate. They deliver the containers and the data to the Hub, in return for a transaction fee.

They will be in the food court of your shopping centre, or in the car park. They will be in a strip shopping centre. They will be next to the general store. They will be at the service station. They will be at the beach.

South Australia is trialling reverse vending machines and NSW recycling company, EnviroBank, recently announced they would be trialling
300 machines in schools and shopping centres across Australia.
Shopping centres and retailers are enthusiastic about the idea. Reverse vending machines are brilliant advertising. Everyone wants to associate their product with good environmental outcomes. They want to offer incentives and vouchers, as part of their advertising. Advertising and business incentives form part of the funding source for the reverse vending machines – it is the third of the three funding sources for the Scheme.

These machines can also be in schools, where they will reduce school cleaning and rubbish costs. The student puts in a container and presses the button and earns a point for their team in the school recycling competition. They may choose a voucher for the school cafeteria, or donate the refund to the school library or a charity supported by the school, and. The screen can then play a message – for example, about the Kidsafe helpline, or road safety.

The Department makes the initial agreement with all depots, so they can restrict the types of messages or vouchers allowed on reverse vending machines in schools.

Reverse vending machines can give out cash money, or a voucher. In reality, they will give out vouchers, and manual depots will make cash refunds. Once you have your container in the machine, you push a button to indicate whether you want a voucher, or whether you want to donate your 10 cents to charity. Then you will choose on the touch-screen which store you want a voucher for, or which charity. In this way, local sports clubs, environment groups or social justice groups can earn donations without even touching the containers.

Reverse vending machines are the polar opposite of pokies. Pokies make money out of misery and heart-ache, from family break-ups and addiction, from suicide and from crime. Fifty three cents out of every dollar stolen from not-for-profit groups in Australia and New Zealand goes to fund problem gambling. By contrast, Reverse vending machines reduce litter and create donations for community groups.

Reverse vending machine depots may reject containers which are returned in a condition which prevents the machine from reading the label. We know that the machines can read a label that is a bit damaged, or containers that are a bit crushed. The Department would review the amount of the refund value at least once every 5 years and must have regard to the minimum refund value necessary to maintain the appropriate level of incentive to re-use or recycle, ensure high rates of recovery, reduce litter and litter-related costs, reduce waste, disposal and recycling costs and conserve resources.

There are exemptions for some drinks not to be part of the scheme and would apply to companies such as Re-Wine that charge a premium for a reusable bottle, then refill it. Those bottles are reusable, which is better for the environment than melting down single use containers.

A phase-in period for the scheme is provided for in the Bill – drinks that are already in the shops may be sold without a levy, but new ones arriving on the shelves must have the label and the levy.

There is some opposition to this type of scheme. The Nolan-ITU study published by the Victorian EPA in 2003 is often cited. Its findings have been seriously questioned in peer reviews by Perchards and Marsden Jacobs Associates.

The Nolan-ITU report assumes the containers will be returned to the point of sale. That is, taken back to supermarkets, where the costs of retail space and retail staff time are prohibitively expensive. That is not the case in the scheme set out in this Bill. Secondly, it assumes that business runs the scheme, and that refunds will be paid by brand-owners. This has nothing in common with this Bill.

There are some hidden benefits relating to Advanced Waste Technology plants, which deal with organic waste. These plants that recover organic materials from mixed waste, and turn it into soil products are sometimes called wet MRFs. A container deposit system will simply make Advanced Waste Technology plants more efficient and cost-effective. It will pre-sort most of the waste, and create a separate stream of higher quality “dry” recycled materials.

Drink container contamination is a problem for Advanced Waste Technology plants. Glass bottles are a particular problem. Single use bottles
are designed to be light-weight, so more than half of them shatter as they come into the plant, and it’s impossible to separate all the broken pieces out of the mix. There is an attempt to remove the broken glass pieces using a de-stoner, and the glass grinds against the expensive machinery, wearing it out.

The Australian Standards for compost, mulch and soil products only allow 0.5% glass. It is difficult for a plant receiving material with a 3-5% contamination to achieve that standard. There is also the issue that glass, plastic and paperboard pieces look like industrial waste. This limits the market for the final product.

There are many positive benefits of organic material being diverted out of landfill, towards agricultural land. It decreases the methane emissions from tips. It improves agricultural soil, so there’s less need for chemical fertilizers. But when the product is contaminated with glass, plastic and metal pieces from drink containers, these stay on the surface after the organic matter is absorbed into the soil. They don’t break down. Over time, they build up.

There would be fewer drink containers to remove from the mix and those containers that are removed would be worth 10 cents each – an incentive. The end product would cost less to produce, and would be of a higher quality.

Finally it is important to note that the fund will be entirely self funding – we estimate that the sale of recyclate will generate some $243million in revenues to offset costs and unredeemed deposits (the fees people forfeit if they don’t return their containers) will generate another $179million per annum – funding the roll out of 400 collections depots and around 2,000 convenience drop off points using RVMs.

On our estimates, the system will leave government with a surplus of some $89million a year. Money that can be spent towards assisting the roll out of new recycling and reprocessing facilities to deliver new jobs, new economic growth and a massive reduction in waste to landfill.

We, along with many other stakeholders from the community sector and across state and territory governments, have had enough of waiting around for the Commonwealth to get its act together and implement such a scheme. It is time we just got on with it – it may seem like a small step when considered against the vast legacy of waste that we are creating, but we have to start somewhere. Starting with CDL will have flow on benefits for organic wastes as I’ve described and will set down the foundation infrastructure for collection of many other categories of waste. There’s no better place to start than with container deposit legislation.

DEFENCE AMENDMENT
(PARLIAMENTARY APPROVAL OF OVERSEAS SERVICE) BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

The Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2010 was initiated by the Democrats and supported by the Australian Greens who now take carriage of the Bill. This is the latest iteration of Bills generated by Senators in this place since 1985 that have aimed to increase the transparency and accountability of governments by involving parliamentary discussion and scrutiny of the decision to deploy Australian military forces to overseas conflicts.

This Bill seeks to address the absence of checks and balances on the power of the Executive which are characteristic of, and broadly considered essential to, any functioning democracy. Under the Defence Act of 1903, the Prime Minister can commit Australian troops to conflict zones without the support of the United Nations, the Australian parliament or the people. The Prime Minister can exercise this power as part of the Government’s prerogative powers, or through a Cabinet decision.

The absence of appropriate checks and balances on this decision-making power saw the Australian Prime Minister rapidly deploy troops to an illegal war in Iraq in 2003 without consulting the people’s representatives in Parliament. A lesson can and must be learned from this kind of mistake, which is more easily made when a handful of people take closed and secret decisions on behalf of a nation without due consultation or participa-
The Howard government was the first government in Australia's history to go to war without the support of both houses of Parliament. This Bill provides an opportunity to ensure this never happens again.

The responsibility of sending Australian men and women into danger and quite possibly to their deaths should not be solely on the shoulders of a handful of leaders, but more broadly shared by policy makers and the public they represent. While citizens do delegate responsibilities to leaders by electing them into power, the democratic system includes an ongoing forum for discussion where leaders must provide reasoning and accounting for their decisions, the Parliament. Citizens that do regularly participate and contribute to public debates through engaging their representatives are denied their democratic right to participate in the gravest decision of sending the country into war, which often has implications far into the future.

This bill would bring Australia into conformity with principles and practices utilized in other democracies like Denmark, Finland, Germany, Ireland, Slovakia, South Korea, Spain, Sweden, Switzerland and Turkey where troop deployment is set down in constitutional or legislative provisions. Some form of parliamentary approval or consultation is also routinely undertaken in Austria, the Czech Republic, Italy, Japan, Luxembourg, the Netherlands and Norway.

The very source of our own Westminster system, the United Kingdom has this year transferred the prerogative power to declare war, ratify treaties and appoint judges from the executive to the parliament. Our ally the United States has a similar provision that subjects the decision to go to war to a broader forum; Section 8 of the US Constitution says that “Congress shall have the power to declare War.”

Arguments against utilising our democratic structures on the important issue of troop deployment made by governments include that it would be “impractical”, “restrictive” and “inefficient”. Such arguments ignore the fact that Parliaments can and do make complex and nuanced decisions, and rapidly when necessary. While autocracies or dictatorships may well be more speedy and efficient, they are not legitimate or acceptable forms of government. Similarly, decisions about war and peace made in undue haste that do not enjoy the mandate of the population are not legitimate or acceptable, especially when they involve sending Australia’s sons, daughters, fathers and mothers into battle.

There are appropriate exemptions made in the Bill that do not interfere with the non-warlike overseas service with which Australian troops are engaged.

The international community supports countries emerging from conflict in a process known as ‘security sector reform’. During this post-conflict reconstruction phase, security forces are retrained and importantly, decision-making is restructured to conform to democratic principles. A core component of regaining public faith in an effective security sector is placing it under democratic control. One standard espoused by the international community is military forces coming under the general rules of parliamentary control, accountability and other procedure seen as important in establishing transparent and legitimate government.

It is time that Australia joined its closest allies and like-minded democratic states by involving the Parliament in the decision to send troops into battle.

I commend the Bill to the Senate.

SPECIAL BROADCASTING SERVICE AMENDMENT (PROHIBITION OF DISRUPTIVE ADVERTISING) BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

Established in the 1970s, Australia’s Special Broadcasting Service was the first multicultural broadcaster established in the world. Today SBS continues to be an important cultural institution that Australians can be proud of; SBS radio transmits in a different language every hour and 7 million viewers watching SBS TV in over 60 languages every week.

From the outset, SBS was a publicly funded broadcaster and advertising was not permitted.
In 1991 a Labor Government introduced the Special Broadcasting Service Act, under which SBS became a corporation with a board and a charter. Under the Act advertising that run during periods before programs commence, after programs end or during natural program breaks for a maximum of five minutes was permitted.

The Special Broadcasting Service (Prohibition of Disruptive Advertising) Amendment Bill 2010 will prohibit the interruption of programs by advertisements and station promotions on SBS television. The bill puts the prohibition into effect by amending Section 45(2)(a) of the Special Broadcasting Service Act (1991) to omit the phrase ‘or during natural program breaks’.

First introduced by the Democrats in 2008, the Bill does not prevent SBS from generating advertising revenue nor from running advertisements and station promotions between programs. The Bill has been taken up by the Greens due to the ongoing and widespread concern about the dangers associated with expanding advertising on a public broadcaster. SBS has been criticised for inserting in-program advertising and station promotions in these programs at points where there is no real break, scheduled or ‘natural’.

When in Opposition, Labor opposed the decision by SBS to introduce in-program advertising. On 14 November 2007, under the heading Labor’s SBS Policy, ALP campaign headquarters sent emails to concerned SBS viewers stating “Labor has opposed and continues to oppose the decision by SBS to introduce in-program advertising.” The day before the election, under the heading Labor’s SBS Policy, Kevin Rudd signed an email to concerned constituents that stated, “Labor has opposed and continues to oppose the decision by SBS to introduce in-program advertising.”

This Bill would allow the government to deliver on its election position.

SBS is unique but while its radio and television services are broadcast in more languages than any other network in the world its character is under threat from the shortfall in public funding. Australia already has a myriad of commercial radio and television alternatives. To ensure SBS remains a global leader in public broadcasting it must be protected from the creeping commercialisation that is now evident.

Senator LUDLAM—I seek leave to continue my remarks later.
Leave granted; debate adjourned.
Ordered that the bills be listed on the Notice Paper as separate orders of the day.

STOLEN GENERATIONS REPARATIONS TRIBUNAL BILL 2010
FOOD SAFETY (TRANS FATS) BILL 2010
First Reading

Senator SIEWERT (Western Australia) (9.42 am)—I move:
That the following bills be introduced: A Bill for an Act to provide for the establishment of a Stolen Generations Reparations Tribunal to decide and make recommendations on claims for reparation and other matters, and for related purposes, and a Bill for an Act to prohibit the addition of synthetic trans fatty acids to food, and for related purposes.

Question agreed to.

Senator SIEWERT (Western Australia) (9.43 am)—I present the bills and move:
That these bills may proceed without formalities, may be taken together and be now read a first time.

Bills read a first time.

Second Reading

Senator SIEWERT (Western Australia) (9.43 am)—I move:
That these bills be now read a second time.

I seek leave to table explanatory memoranda relating to the bills and to have the second reading speeches incorporated in Hansard.

Leave granted.

The speeches read as follows—

STOLEN GENERATIONS REPARATIONS TRIBUNAL BILL 2010
In February 2008 the Stolen Generations were given a formal national apology by the then Prime
Minister Kevin Rudd on behalf of the new Government.

A national apology was one of the key recommendations from the “Bringing them Home” Report and I welcomed the apology along with many other Australians. The Bringing Them Home Report also stated that “[t]he only appropriate response to victims of gross violations of human rights is one of reparation” and recommended that:

“for the purposes of responding to the effects of forcible removals, ‘compensation’ be widely defined to mean ‘reparation’; that reparation be made in recognition of the history of gross violations of human rights; and that the van Boven principles guide the reparation measures. Reparation should consist of:

1. acknowledgment and apology,
2. guarantees against repetition,
3. measures of restitution,
4. measures of rehabilitation, and
5. monetary compensation.”

This bill seeks to implement this key recommendation from the Bringing Them Home Report by providing a mechanism to make reparations to the Stolen Generations.

Following the national apology, Senator Andrew Bartlett introduced the Stolen Generation Compensation Bill 2008. Former-Senator Bartlett is a tireless campaigner for social justice and strongly advocated for compensation for the Stolen Generations both inside and outside this Chamber.

I want to acknowledge the work of former-Senator Bartlett in bringing before this place a bill for compensation for the Stolen Generations. It was very disappointing in 2008 to hear the Rudd Government dismiss out of hand the issue of reparations and compensation when delivering the apology. Former-Senator Bartlett’s bill kept the issue of compensation before the parliament and the nation.

Following its introduction, Former-Senator Bartlett’s Stolen Generation Compensation Bill 2008 was referred to an Inquiry by the Senate Legal and Constitutional Affairs Committee which received submissions and heard evidence from around the country. The Inquiry canvassed many of the issues relevant to both compensation and broader reparations for the Stolen Generations. There was strong support for a reparations scheme from the submissions and hearings.

One of the submissions to the Inquiry was a joint submission from the Public Interest Advocacy Centre and the Australian Human Rights Centre (the PIAC/AHRC submission). The submission and evidence from PIAC/AHRC proposed a Stolen Generations Reparations Tribunal.

PIAC first developed a proposal for a Reparations Tribunal in response to the recommendations of the Bringing Them Home Report and presented the proposal to the 2000 Senate Inquiry into the Federal Government’s implementation of the Report’s recommendations. The Senate Legal and Constitutional Affairs committee recommended the establishment of a reparations tribunal modelled on the PIAC proposal.

Following the Inquiry, PIAC conducted significant consultations with Indigenous people and organisations across Australia, to further develop their proposal. This finalised proposal was submitted to the 2008 Senate Inquiry into Senator Bartlett’s bill. It is notable that Senator Bartlett in his Additional comments to the Senate Inquiry Report recommended that his Bill be modified by adopting the amendments proposed by PIAC/AHRC. It was a recommendation I agreed with and, on Wednesday 24th September 2008, I put before the parliament the Stolen Generations Reparations Tribunal Bill 2008 to put that recommendation into effect.

The Stolen Generations Reparations Tribunal Bill 2008 was neither substantively debated nor resolved during the term of the Forty-Second Parliament, and the bill I am introducing today – the Stolen Generations Reparations Tribunal Bill 2010 – is effectively a reintroduction of that Bill without any substantive changes being made to it.

The distinguishing feature of this bill (the Stolen Generations Reparations Tribunal Bill 2010) in comparison to former-Senator Bartlett’s Stolen Generations Compensation Bill 2008 is its broader remit for reparations. We recognise that a sum of $20 000 is manifestly inadequate compensation for the Stolen Generations. This is why this bill, while keeping a limited ex gratia payment, also provides for the Tribunal to decide on appro-
appropriate reparations. Reparations can include funding for certain services and monetary compensation when particular harm is demonstrated. These reparations are unlimited and are to be determined by the Tribunal.

There is a focus in this bill on communal reparations, including measures such as funding for healing centres, community education projects, community genealogy projects, and funding for access to counselling services, health services, language and culture training.

The Bill establishes a Stolen Generations Reparations Tribunal which is constituted according to the following Principles:

Acknowledging that forcible removal policies were racist and caused emotional, physical and cultural harm to the Stolen Generations;

Asserting that Indigenous children should not, as a matter of general policy, be separated from their families;

Recognising the distinct identity of the Stolen Generations and that they should have a say in shaping reparation; and

Ensuring that Indigenous persons affected by removal policies should be given information to facilitate their access to the Tribunal and other options for redress.

The key elements of the Stolen Generations Reparations Tribunal are:

Reparations should be guided by the van Boven principles and should be material, in-kind and non-material, and include but not be confined to monetary compensation;

The provisions of ex-gratia payments as a minimum lump sum payment to all Indigenous people forcibly removed from their families as a recognition of the fact of removal;

Acknowledging the intergenerational harm of the forcible removal policies, that reparations should be extended to include not only the individual removed, but also family members, communities and descendents of those removed; and

Claimants will only have to demonstrate the act of removal occurred under certain legislation or was carried out, directed or condoned by an Australian government.

The van Boven Principles are a set of principles developed by Theo van Boven in 1996 for the United Nations on the Right to Reparation for Victims of Gross Violations of Human Rights and Humanitarian Law. The van Boven principles recognise the right of remedy for victims of gross violations of human rights. The Bringing Them Home Report cites the van Boven Principles and concludes that reparations for the Stolen Generations should be guided by these principles.

The Tribunal’s functions include:

Deciding on appropriate reparations,

Deciding on an appropriate amount of any ex gratia payment;

Providing a forum and process for truth and reconciliation by which Indigenous persons affected by forcible removal policies may tell their story, have their experience acknowledged and be offered an apology by the Tribunal or others;

Consider proposed legislation to report on whether it would be contrary to the Principles of this Act;

Inquire into prejudicial policies and practices by government or a church organisation brought to the Tribunal’s attention.

The Tribunal’s functions that relate to examining proposed legislation and inquiring into prejudicial polices and practices of government and church organisations are limited to legislation and policies and practices that are contrary to or inconsistent with the Principles mentioned above. The Tribunal’s functions are thereby limited to matters related to the Stolen Generations and the forcible removal of Aboriginal and Torres Strait Islander children from their families.

The Tribunal will be constituted by a Chair and 6 other members. At least half the members of the Tribunal must be Indigenous. The Chair of the Tribunal will be full-time position, while members may be appointed on a full-time or part-time basis.

The key elements and functions of the Tribunal provide for a more holistic approach to reparations for the Stolen Generations. As PIAC stated in its submission to the 2008 Senate Inquiry into Senator Bartlett’s bill:
It is critical that a mechanism, distinctly shaped by the needs of the Stolen Generations is put in place to service the dual objectives of redressing past harm and creating measures of reparation that offer enduring social, cultural and economic benefits to those affected.

In 2008, in response to the national apology I said:

“Children growing up hearing the stories of officially sanctioned mistreatment of their parents, their mothers and their grandmothers in an environment in which these injustices are not acknowledged, or are even denied, can easily be led to despair – particularly when they are growing up in disadvantage, experiencing firsthand the impacts of social exclusion and living in a community with a high rate of unemployment and in which they face an uncertain future. This is why a full and unconditional apology from the government to the Stolen Generations on behalf of the parliament is important to not just the children who were removed but also their children and grandchildren. The health and wellbeing burden carried by Aboriginal Australia and Aboriginal communities is huge.”

I add to that statement that just reparations are equally essential to repair the enduring social, economic and cultural harm experienced by the Stolen Generations.

In the same way the national apology was long overdue, so is a reparation scheme. As Associate Professor Durbach from the AHRC told the 2008 Senate Inquiry, in reference to the recommendation of the 2000 Senate Report of a reparation scheme:

“A failure to implement that commitment by way of establishing a Stolen Generations reparations tribunal ignores Australia’s obligations to repair the enduring social, cultural and economic damage particularly endemic to the stolen generations experience. In failing to honour that commitment, it also suspends and accordingly prolongs the critical healing of Stolen Generations communities and undermines any real prospect of effective reconciliation.”

The Government must act urgently to provide the Stolen Generations full reparations. I commend the bill to the Senate.

FOOD SAFETY (TRANS FATS) BILL 2010
The Food Safety (Trans Fats) Bill 2010 aims to reduce the Australian public’s exposure to unsafe synthetic trans fatty acids, which are known to the public as ‘trans fats’.

Synthetic trans fatty acids are non-naturally occurring fats formed by the hydrogenation of liquid vegetable oils to make them solidify. They are distinct from the naturally occurring trans fatty acids in some foods, such as meat and dairy products. Synthetic trans fats are added to certain foods to increase shelf life and improve texture. Fast foods, such as chips, chicken nuggets and pizzas, packaged snacks and bakery products such as biscuits, cakes, pies and doughnuts are most commonly affected.

Scientific evidence shows that synthetic trans fatty acids significantly increase blood cholesterol levels. They are more harmful than saturated fats, which increase ‘bad’ cholesterol (low-density lipoprotein), as they simultaneously decrease ‘good’ cholesterol (high-density lipoprotein). This significantly increases the risk of coronary heart disease, which kills tens of thousands of Australians every year. A major study into the health effects of trans fats by Mozaffarian et al in the New England Journal of Medicine in April 2006 found:

On a per-calorie basis, trans fats appear to increase the risk of coronary heart disease more than any other macronutrient, conferring a substantially increased risk at low levels of consumption (1 to 3 percent of total energy intake). In a meta-analysis of four prospective cohort studies involving nearly 140,000 subjects, including updated analyses from the two largest studies, a 2 percent increase in energy intake from trans fatty acids was associated with a 23 percent increase in the incidence of coronary heart disease …

The former President of the Australian Medical Association has echoed this conclusion, noting in November 2006 that:

Trans fats appear to increase the risk of coronary heart disease more than any other macronutrient. They may increase the risk of sudden death from a heart attack, and are associated with diabetes.
He went on to call for the immediate mandatory labelling of food containing trans fats while a complete ban is implemented. The AMA have since renewed this call in the context of recommending measures to reduce obesity in Australia. Australians have good reason to be concerned about unregulated quantities of trans fats in our food. The Australian Institute of Health and Welfare reports that one in two Australian adults are overweight or obese. According to the Heart Foundation, cardiovascular disease is the biggest killer of Australians, accounting for 34% of all deaths in this country in 2006 and killing one person in Australia nearly every 10 minutes.

A number of countries have responded to this public health risk by regulating the use of trans fats. In Denmark it has been illegal to sell oils and fats containing more than 2% trans fats since 2004. In the USA, nutrition labels must declare levels of trans fats that exceed 0.5 grams per serve. California’s restaurants are now prohibited from selling margarines, oils, and shortening that contain more than half a gram of trans fat per serving. Bakery products will soon be required to follow similar restrictions. New York’s Board of Health has already implemented a similar restriction.

Yet in Australia, trans fats remain almost entirely unregulated. The Australia New Zealand Food Standards Code provides that information on trans fats must be included on food labels only if ‘a nutrition claim is made in respect of cholesterol or saturated, trans, polyunsaturated or monounsaturated fatty acids; or omega-3, omega-6 or omega-9 fatty acids’. If the manufacturer chooses not to make any such claims, they need not alert the consumer to the presence of trans fats.

The only other government-level response to the issue was the National Collaboration on Trans Fats established by the previous Federal Government. This body found that the average intake of trans fats by Australians and New Zealanders was below the 1% recommended by the World Health Organisation. Unfortunately, focusing on the average rate of consumption ignores the fact that consumption may be far higher in some individual cases. Respected Australian nutritionist, Dr Rosemary Stanton, has noted that ‘trans fats can be as high as 40 per cent in some fast foods.’

Clearly, people who eat a lot of these foods will be consuming well in excess of the average intake of trans fats.

To remedy this situation, the present Bill employs the corporations power to prohibit constitutional corporations from manufacturing, distributing, offering for sale, selling or otherwise trading in food containing synthetic trans fatty acids. It also prohibits persons from manufacturing, distributing, offering for sale, selling or otherwise trading in food containing synthetic trans fatty acids for, to or on behalf of constitutional corporations. Civil penalties apply.

Given the important public health issues at stake and the inadequate existing regulatory regime, it is important to safeguard the health of Australians until such time as the States and Territories decide to act. The bill expressly provides that State or Territory legislation may override the bill, leaving State and Territory governments with the option to choose to adopt a different regulatory response. In the interim, this bill will ensure the health of Australians is not harmed by trans fats.

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

Leave granted; debate adjourned.

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

COMMONWEALTH ELECTORAL (ABOVE-THE-LINE VOTING) AMENDMENT BILL 2010
NATIONAL INTEGRITY COMMISSIONER BILL 2010
PLEBISCITE FOR AN AUSTRALIAN REPUBLIC BILL 2010
BANKING AMENDMENT (DELIVERING ESSENTIAL FINANCIAL SERVICES) BILL 2010
PROTECTING CHILDREN FROM JUNK FOOD ADVERTISING (BROADCASTING AMENDMENT) BILL 2010
First Reading

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.44 am)—I move:

That the following bills be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918 to repeal provisions relating to group voting tickets and provide for preferential above-the-line voting, and for related purposes; a Bill for an Act to establish the office of the National Integrity Commissioner, and for related purposes; a Bill for an Act to require a plebiscite on whether Australia should become a republic; a Bill for an Act to deliver essential financial services at reasonable cost, fair loans and mortgages and increased competition for the community, and for related purposes; and a Bill for an Act to amend the Broadcasting Services Act 1992 to encourage healthier eating habits among children by restricting the broadcasting of advertisements for junk food, and for related purposes.

Question agreed to.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.45 am)—I present the bills and move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.46 am)—I move:

That these bills be now read a second time.

I seek leave to table explanatory memoranda relating to the bills and to have the second reading speeches incorporated in Hansard.

Leave granted.
This amendment to the Commonwealth Electoral Act enhances democracy. It provides a simple option for voters to have full control of the destiny of their vote and consequently the make-up of the Senate.

I commend this bill to the Senate.

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NATIONAL INTEGRITY COMMISSIONER BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

The National Integrity Commissioner Bill creates a national integrity and anti-corruption commission through the establishment of the National Office of Integrity Commissioner, comprising three elements - the National Integrity Commission, the existing Australian Commission for Law Enforcement Integrity (ACLEI) and a new Office of the Independent Parliamentary Advisor. The National Integrity Commission is established as an independent statutory agency.

This Bill provides in a comprehensive legislative framework, a critical addition to the national integrity system through the establishment of a National Integrity Commission to enable the investigation and prevention of misconduct and corruption in all Commonwealth departments, agencies, federal parliamentarians and their staff. The Bill brings together and co-locates this function with the independent oversight functions of the Law Enforcement Integrity Commission for the investigation and prevention of corruption in the Australian Federal Police and the Australian Crimes Commission, thus creating an integrated federal approach to misconduct and corruption in the parliament and public service. Additionally the Bill establishes the role of the Independent Parliamentary Advisor with the purpose of preventing inadvertent misconduct and impropriety by parliamentarians, thereby promoting informed and ethical conduct.

There is currently no national anti-corruption agency with the powers or the jurisdiction to investigate claims of misconduct and corruption across the Federal Parliament or Commonwealth agencies. This is an essential component for the prevention of corruption and maintenance and promotion of integrity and ethical conduct in the toolkit of all jurisdictions. The argument that the existing agencies and mechanisms are sufficient or appropriate for fighting graft ignores the important role of prevention, the promotion of ethical conduct, and the integration of integrity systems across federal and state jurisdictions.

Prior to the establishment of the Commonwealth Law Enforcement Integrity Commissioner in 2006, there were calls that its role be extended beyond investigating and preventing corruption in federal law enforcement agencies. In particular, the federal police and lower House Independent, the late Peter Andren, wanted it to be expanded to include politicians and public officials. These calls were not heeded but this Bill addresses that oversight.

The National Integrity Commission will operate in the federal jurisdiction and will not replace or over-ride state legislation. The Bill provides for the ACT and Northern Territory to contract the National Integrity Commission to operate in respect of their territories, in the same way that the Commonwealth Ombudsman acts as the ACT Ombudsman.

The national commission established by this Bill will complement the state-based anti-corruption commissions. The need to address corruption is evident in the fact that all Australian states, with the exception of South Australia, have established, or have committed to establishing, anti-corruption bodies with various powers and jurisdictions. Importantly they all include the power to investigate the activities of politicians. Victoria most recently announced the creation of the Victorian Integrity and Anti-Corruption Commission. In other states, anti-corruption commissions have been operating for decades - The Independent Commission Against Corruption in NSW was established in 1988; The Crime and Misconduct Commission in Queensland was established in 2001; The Corruption and Crime Commission in Western Australia was established in 2004 and The Integrity Commission in Tasmania established in 2009. The Commissions of New South Wales, Queensland and Western Australia have played a pivotal role in uncovering, investigation and prosecuting in landmark cases of corruption.

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in these states. The evidence of the powerful and effective work of these bodies reinforces the necessity for a similar mechanism at the federal level of Australian politics.

The Bill provides a definition of “corrupt conduct” as including any conduct that:
- adversely affects the honest or impartial exercise of functions by the Parliament, a Commonwealth agency or public officials by any person;
- involves the dishonest exercise of functions by a public official;
- involves a breach of public trust by a public official;
- perverts the course of justice;
- involves the misuse of information or material by a public official.

It lists kinds of “corrupt conduct”, such as blackmail, bribery and fraud, for the purposes of adversely affecting the exercise of functions by the Parliament, a Commonwealth agency or public officials, and provides for retrospection in that the National Integrity Commissioner can investigate corrupt conduct that occurred before the commencement of the Bill or before a person became a public official or outside Australia. Importantly the Bill provides the capacity to investigate cases where corrupt conduct is foreseeable in the future making the National Integrity Commissioner’s role proactive in addressing corruption. Furthermore, it is clear in this Bill that investigations of corruption can be commenced even if the identity of the public official alleged to be engaging in corrupt conduct is unknown. This ensures that corruption issues cannot be ignored because the person concerned has not been identified at the outset.

The Bill sets out the specific functions and powers of the three component parts of the National Integrity Commission. The first is the National Integrity Commissioner. It is concerned with corruption in relation to public officials and Commonwealth agencies and has full investigative powers, including conducting public and private hearings and summoning any person or agency to produce documents and appear before the Commissioner. The provisions in the Bill in relation to the National Integrity Commissioner - including those dealing with corruption issues, conducting investigations, holding public inquiries, including powers requiring people to give evidence or produce documents, taking evidence at hearings, and applying for and executing search warrants - are based on similar provisions in the Law Enforcement Integrity Commissioner Act 2006.

The second component part deals with the Law Enforcement Integrity Commissioner. It is concerned with corruption in relation to national law enforcement agencies in accordance with the Law Enforcement Integrity Commissioner Act 2006 and has the functions and powers conferred under that Act.

Third component part of the Bill is the Independent Parliamentary Advisor. It is concerned with providing independent confidential written advice to ministers, parliamentarians, and former parliamentarians in relation to conflict of interest, ethics, proprietary and similar matters and providing advice on the development of codes of conduct. There are many instances where the rules or guidelines governing the conduct of federal parliamentarians are not clear or sufficiently detailed. Often the advice from relevant departments leaves it to the discretion of the politician. The lack of clarity and direction in these cases leaves parliamentarians unnecessarily vulnerable to inadvertent misconduct, with consequent serious penalties.

The Bill provides for written advice on such instances where the guidelines are unclear, or where claims of misconduct are made against a parliamentarian who has sought to follow the guidelines. The existence of such a body would help Australian federal parliamentarians to avoid the type of systemic misconduct seen recently in parliaments overseas as well an increase the ethical standing of federal parliamentarians generally.

This Bill provides the legislative framework for a comprehensive proactive and responsive national approach to corruption and misconduct. At a time when the Australian public are increasingly sceptical and mistrustful of its federal politicians and public servants, the National Integrity Commissioner Bill provides a bulwark against its concerns now and into the future.

I therefore commend this Bill to the Senate.
PLEBISCITE FOR AN AUSTRALIAN REPUBLIC BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

This Bill provides for a plebiscite to be held to give the Australian people the opportunity to vote on whether Australia should be a republic. The Bill sets out one simple question: Do you support Australia becoming a republic? It requires a simple yes or no response.

The Bill sets out provisions for a plebiscite or advisory referendum. The purpose of the plebiscite is to determine the will of the Australian people on this question with a simple majority. Its purpose is not to change the Constitution, but rather to ascertain the will of the Australian community on the republic question as the first step in the process. If there is not majority support for a republic, the question is decided clearly and without confusion. If the majority supports Australia becoming a republic, the specific details of the most suitable model to adopt can then be worked out in a context of that certainty.

The question set out in this Bill determines if Australians want an Australian as head of state? It does not attempt to determine what model should be adopted, what powers the head of state should hold or other operational or governance issues.

The question of whether Australia should be become a republic has been close to the hearts of many Australians since Federation. In recent times it culminated in the referendum of 1999. This followed the Constitutional Convention in 1998, a public forum in which the participants, a mix of elected members of the public and appointed representatives, debated a range of issues. These included different models for choosing a head of state such as direct election, appointment by a Constitutional Council, or election by Parliament. The delegates also considered issues such as the powers, title and tenure of a new head of state, and proposals for a new preamble to the Australian Constitution.

The Convention supported in-principle the resolution that Australia should become a republic. It recommended that a referendum be held to decide on a ‘bi-partisan appointment of the President model’ and other related constitutional changes and the enabling legislative package was passed into law in August 1999.

In the referendum held on 6 November 1999, Australians voted on the republic in a question which conflated support for an Australian head of state with the model by which the head of state should be elected:

“To alter the Constitution to establish the Commonwealth of Australia as a republic with Queen and the Governor-General being replaced by a President appointed by a two-thirds majority of the members of the Commonwealth Parliament.”

In addition, there was a vote on a separate question about changing the preamble to the Constitution.

Opinion polls consistently showed that the majority of Australians supported an Australian republic, but polls also showed most people wanted popular, not parliamentary election of the President. In the referendum of 1999, 54.87 per cent to 45.13 per cent of Australians voted ‘no’. All six states votes ‘no’ and only the Australian Capital Territory voted ‘yes’. The Constitutional requirement that constitutional change be supported by a ‘double majority’ vote, that is, the majority of votes nationally, and the majority of votes in the majority of states, was not achieved.

Academics and other commentators have provided useful analysis of the outcome of the 1999 referendum, generally agreeing that the republic question was too complex and technical. Combining it with a question about changing the preamble confused and split the vote.

It has been suggested that the way the question was worded highlighted to the controversial election process, emphasising the division between republicans who supported direct election of a President and those supporting appointment by the Parliament.

Professor Ian McAllister from the Australian National University observed in research published in 2001 that “the Australian electorate was asked to make a complex, technical choice about the system of government, in the absence of clear partisan cues. How did voters resolve this di-
lemma? Although those in favour of replacing the Queen as head of state made up three-quarters of the electorate, they were divided on the method of election for the head of state, effectively resulting in three separate groups of voters.” He found that “Overall, the interaction between compulsory voting and lack of political knowledge among large sections of the electorate served to divide republicans, and caused the proposition to fail. Pairing the republic with an unpopular change to the preamble of the Constitution also depressed the ‘yes’ vote.”

It is important that in revisiting this issue, Australians are given the opportunity to express their will without the overlay of technical complexity and procedural confusion.

In providing a legislative framework for a plebiscite, this Bill adopts one of the key recommendations of the Senate Legal and Constitutional Affairs Committee 2004 report ‘The road to a republic’. The report recommends a ‘first plebiscite’ to get the process of an Australian republic back on track. The majority report found that it is essential that the first step in the process should be to seek from Australians their view on the fundamental question of whether Australia should become a republic; notes that opinion polls show majority support for an Australian republic, and supports the argument that before expending substantial resources it is important to first test this proposition in a full national non-binding plebiscite.

The report states that the importance of this question for the future of Australia calls for a requirement that all Australians should have their say and therefore supports compulsory voting in a threshold plebiscite and that the result of the plebiscite should be determined by a simple absolute majority of voters nationally.

The cost of conducting a referendum or plebiscite is significant and it is imperative that money spent on this produces a result that accurately reflects the desire of the majority of the electorate. There is a compelling financial argument for holding the plebiscite in conjunction with the next federal election. According to information from the Australian Electoral Commission and the Parliamentary Library, the 1999 referendum cost $66.8 million. The statistics section of the library calculates this at approximately $87.5 million in current (2008) dollar terms. The general federal election held in 1998 cost $61.7 million, suggesting that the cost of holding a discrete referendum or plebiscite is approximately the same as the cost of an election. When a referendum or plebiscite is held in conjunction with a general election, the cost is approximately one-eighth of the total cost. For example in 1984, the total cost of the election was $31.7 million, with the referendum component of $4 million. The Statistics section of library calculates that amount at $8.9 million in current terms.

Over a decade since Australians were last asked to consider the question of an Australian republic, the time is right for a new opportunity to vote on this fundamental issue. The government has a longstanding policy commitment for an Australian republic as well as the election promise to hold a new referendum in 2010. This Bill is to enable that process to test the will of the people on this important matter again.

I commend this Bill to the Senate.

BANKING AMENDMENT (DELIVERING ESSENTIAL FINANCIAL SERVICES) BILL 2010

This bill was introduced by the Australian Greens in the 42nd Parliament. The following second reading speech reflects the debate at the time of the bill’s original introduction.

Banking is an essential service. A basic bank account is essential to function properly in present day Australian society. This means that the nature of banking services – the kinds of financial products that are offered and the fees that are charged – has a very broad impact and the rights of consumers should be protected by law and not, as is currently the case, by the self-regulation of the banking industry.

The Banking Amendment (Delivering Essential Financial Services) Bill 2010 provides legislative protection for banking customers in a number of basic banking services, including minimising or removing fees from basic services and ensuring mortgage arrangements are transparent and fair for consumers.

Banks enjoy a position of overwhelming market dominance in Australia, with around ninety per
cent of the national market in loans and advances. This kind of market power leaves them free to charge their customers a range of fees that often bear little relationship to the actual or reasonable costs of providing banking services. These sorts of practices have resulted in ever increasing profits for banks at the expense of their customers.

In the 2008-09 financial year, Australia’s major banks announced massive net profits despite the global financial crisis. For example, the ‘big four’ banks each posted profits between $4.7 billion and $2.6 billion, despite the global financial crisis. At the same time, Fujitsu Consulting estimated that, on average, Australian households spend about $1000 per year on bank fees – roughly 22% more than UK householders and 10% more than the US. The Australia Institute recently calculated that the average person earning around $50k is likely to be paying $28.85 per week toward bank profits.

Recently, consumer organisations have successfully campaigned for a better deal from the banks. The banks have responded to some extent and voluntarily improved their approach to fees in some areas. For example, now most banks do not charge their own customers for the use of another bank’s ATMs, even though it is open to them to do so. Other banks have dropped overdrawn account fees and reduced their other penalty fees. A number of banks have also introduced fee-free or low fee basic accounts for low income customers. These are very welcome changes.

The Banking Amendment (Delivering Essential Financial Services) Bill 2010 ensures that these changes apply to all banks as a matter of law, and makes further important improvements for the benefit of banking customers.

This Bill delivers fee-free essential banking services and greater competition and transparency in the mortgage and loan markets by: requiring banks to offer basic, fee-free transaction accounts to all; making bank ATM transactions free or capped at the cost of service provision; requiring financial institutions to offer mortgages and other loans with an interest rate fixed at a negotiated margin above the institution’s cost of funds; and by limiting mortgage and loan exit fees to a level that recovers the cost to the lender of the early termination, and ensuring that customers are made aware of these fees up front.

The proposed basic transaction account offers banking customers an easy to understand account that provides essential banking services without any hidden profiteering in the form of exploitative fees. It is similar to the accounts some banks choose to offer to low income customers at present, but it will ensure that such accounts offer the same minimum features and are available to all customers of all banks. It will provide essential transactions, internet banking, a debit card, freedom from ongoing service fees or unfair penalty fees for the actions of third parties, with other penalty fees capped at a level sufficient to recover the cost to the bank of the penalised conduct.

This represents a return to a simpler banking model where banks benefit from the use of their customers’ money, and in exchange they keep the funds secure and offer the customer secure and convenient access. The only fees that may be levied will be for breaches of contract that the account-holder is personally responsible for, and these fees will be purely to recover the cost to the bank of the breach.

The Bill prohibits banks from charging their own customers for ATM transactions (locking in banks’ current practice), and caps the charge for using another bank’s ATMs at a level sufficient to cover the cost to the bank of the transaction. The most common fee charged for foreign ATM transactions is around $2, yet in 2007 the Reserve Bank of Australia estimated that the average cost to banks for ATM transactions is 75 cents – less than 40% of the fee they levy upon consumers. Australians are the second highest per capita ATM users in the world, with some 800 million withdrawals made in 2006, so the profits the banks make through this premium on ATM transactions is significant. This has a disproportionate impact on poorer people, who are more likely to withdraw smaller sums and therefore pay a greater proportion of each withdrawal (and indeed of their income) in ATM fees. The Bill’s restrictions on charges for ATM use would address this problem, while still permitting banks to break even on the cost incurred when non-customers use their ATMs.
The Bill introduces a requirement that authorised deposit-taking institutions (ADIs) offer ‘fixed interest gap’ mortgages and loans with interest rates fixed at a negotiated percentage above the lender’s cost of funds. The ADI’s cost of funds will be calculated according to a formula approved by the Australian Prudential Regulation Authority. These loans will protect customers from interest rate fluctuations that are not genuinely caused by changes to the ADI’s cost of funds. In the past, there have been occasions where the RBA has lifted interest rates and the banks have lifted their interest rates even higher. If the ADIs were only passing on increases to their costs, their interest rate rises would be lower than those of the RBA, as a third of their borrowing is done in overseas markets that are unaffected by RBA interest rate hikes. These additional increases would not be possible with fixed interest gap loans. By keeping the lender’s margin on the loan constant, and faithfully passing on changes to the lender’s costs under the supervision of an independent authority, these loans will offer customers greater transparency and reassurance by behaving as customers expect variable rate loans to behave.

Finally, the Bill limits mortgage and loan exit fees to the actual and reasonable costs of early repayment, and obliges lenders to make consumers aware of the existence and amount of these fees up front. The existence of exit fees must be mentioned in advertising, and they must routinely be included in the mortgage/loan contract under the uniform heading ‘early repayment charges’. Exit fees are presently disclosed in the fine print of mortgage contracts, but this measure will ensure that they can be identified much more easily. They must be given as a dollar amount for variable rate loans, and a plain language explanation of how the fee will be calculated for fixed rate loans (as it is not possible to anticipate the cost of early termination for these loans). These changes would introduce greater transparency to the lending market, and remove a significant barrier to greater competition. In 2008, the Australian Securities and Investments Commission observed that ‘some [exit fees] do not appear to be related to the underlying costs they are purporting to recover’ and ‘the size of these fees might now present a barrier to switching loans’. The fact that many lenders waive exit fees after three or four years does not assist in most cases, as ASIC observed that ‘the average Australian mortgage is terminated or refinanced within approximately three years’. The changes made by the Bill reduce this barrier to switching loans and make it easier for unhappy customers to take their business elsewhere, pressuring lenders to offer consumers a better deal or risk losing their business.

The provisions of this Bill will not prevent ADIs from offering a range of other financial products. They simply ensure that banking customers also have access to basic, essential, transparent banking services on fair and reasonable terms.

I commend this Bill to the Senate.

PROTECTING CHILDREN FROM JUNK FOOD ADVERTISING (BROADCASTING AMENDMENT) BILL 2010

This bill amends the Broadcasting Services Act 1992 to encourage healthier eating habits among children and to prohibit the broadcasting of advertisements for junk food during certain times. It is a bill that will ensure that the advertising of unhealthy food and beverages on television during children’s viewing times are prohibited.

Obesity is a significant problem in Australia. Studies show that between 1985 and 1997 the combined rate of overweight and obesity in Australia doubled and obesity among young Australians (7-15 years) trebled. Indications are that the trend to overweight and obese children is not merely increasing but accelerating. On current trends, the rate of childhood overweight and obesity is expected to double over the next 30 years, reaching around 60 percent.

Obesity is a problem that the parliament can no longer afford to ignore. According to the Australian Medical Association the rise in childhood obesity may, for the first time in Australian history, result in a decline in the life expectancy of newborns. Access Economics estimated the financial costs of obesity in 2008 was at $8.2 billion. The report calculates the net cost of lost wellbeing (including the dollar value of the burden of disease on individuals) as a result of conditions associated with obesity like diabetes, heart disease and various types of cancer, as well as lost
productivity, adds up to a total financial burden of $58 billion a year.

Childhood obesity is a complex issue with many causal factors. An advertising ban alone will not eliminate the problem of obesity but it is a sensible first step that has the support of health experts, including doctors, community groups and, most importantly, parents. A study reported in the Australian and New Zealand Journal of Public Health of parental awareness and attitudes found that there was widespread parental concern about food advertising aimed at children and strong support for tighter restrictions. Almost 80 percent of respondents were concerned about the volume of advertisements and 68 percent were concerned about the methods used to market unhealthy food to children. 87 percent supported a ban on unhealthy food advertising during children’s viewing times. The 2007 survey commissioned by the Coalition on Junk Food Advertising to Children (CFAC) found that 90 percent of parents agreed that advertising food high in fat, sugar and salt directly to children was ‘unconscionable’. In 2004 an Australia Institute study found that 86 percent of people wanted more limits on advertising to children.

The evidence showing that children are susceptible to what they see on television is growing. Food advertising directly influences children’s choices and increases their requests for foods that are high in fat, sugar and salt. A 2003 review of the international literature on the impact of food advertising to children concluded that children under 12 did not have the cognitive ability to understand the concepts of marketing. The study further concluded that food promotion directly affects children’s food preferences, purchases (or what they ‘pester’ their parents to buy) and what they eat.

It has been estimated that the average Australian child watches 96 food advertisements a week, 63 of which are for high fat or high sugar foods. In 2006 the NSW Cancer Council found that food advertisers were deliberately targeting children, with 194 separate breaches of the Children’s Television Standards code of practice, involving mainly giveaways and prizes. It also found that 81 percent of food advertisements shown on commercial TV are for foods that are typically high in fat, sugar or salt and are of low nutritional value, like fast food, soft drinks and ice cream. Many parents do not have the knowledge or the time or the energy to resist the constant ‘pestering’ by their children or the misinformation directed at children through junk food advertising. The parliament should regulate the junk food industry to protect the health of Australian children.

Restrictions on junk food advertising to children exist in the United Kingdom, New Zealand, Denmark and Sweden, as well as in Quebec in Canada.

It is remarkable that, in the face of alarming statistics on the increase in childhood obesity in Australia and the international trend to tightly regulate junk food advertising to children, the Australian Communications and Media Authority has rejected calls for further restrictions in its review of the Children’s Television Standards. ACMA’s statement said, “existing research does not clearly demonstrate a causal relationship between any of these factors [food and beverage advertising and obesity]”. The failure of the ACMA to act on this critical issue was condemned by the Australian Medical Association and the community organisation, the Parents’ Jury.

The measures in this bill alone will not solve the terrible problem of childhood obesity but they are a critical component of the comprehensive plan that is required. The time for acquiescing to the interests of powerful lobby groups has passed.

Senator BOB BROWN—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

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

ALCOHOL TOLL REDUCTION BILL 2010

DRINK CONTAINER RECYCLING BILL 2010

RESPONSIBLE TAKEAWAY ALCOHOL HOURS BILL 2010
First Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (9.47 am)—I move:

That the following bills be introduced: A Bill for an Act to create a culture of responsible drinking, and to facilitate a reduction in the alcohol toll resulting from excessive alcohol consumption, and for related purposes; a Bill for an Act to provide for product control and payment and refund of deposits in relation to certain drink containers in order to protect the environment, and for related purposes; and a Bill for an Act to restrict the hours during which takeaway alcoholic beverages can be sold, and for related purposes.

Question agreed to.

Senator FIELDING (Victoria—Leader of the Family First Party) (9.48 am)—I present the bills and move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (9.48 am)—I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

ALCOHOL TOLL REDUCTION BILL 2010

Family First is not anti-alcohol. We know alcohol is a part of life and social drinking is fine. But our culture is one that celebrates alcohol and binge drinking – it is way out of control and we simply must do something about it.

But Australia has a drinking problem. As a nation, we have a problem with booze, a major problem.

Alcohol kills THREE TIMES more Australians than all illicit drugs combined, yet no one in Government or Opposition is serious about tackling our alcohol toll.

Alcohol robs our society to the tune of $16 billion a year.

That’s right, it has been found that the cost on the community from excessive alcohol consumption is $16 billion per year.

Alcohol also inflicts an enormous emotional cost—splitting families apart and destroying relationships.

You see, as a nation, we celebrate alcohol. We drink to celebrate success. We drink to celebrate achievements. We drink to be sociable and to be part of the crowd.

Just look at how alcohol is promoted and advertised. David Boon was a great cricketer, but he is as well remembered for knocking off 52 tinnies on a flight to London.

Doesn’t that make him then the ‘logical’ choice to promote booze? ‘Boonie’ is held up to be a hero – gee a bloke who can down 52 tinnies in one plane trip – so of course it is attractive to have him flog amber fluid.

The Federal Parliament is not really taking the alcohol toll seriously. No one is pushing for tough action to tackle Australia’s alarming alcohol toll.

That is why Family First is doing something about it. Because alcohol is a killer – it is killing young Australians and adult Australians – and we HAVE to take serious action to tackle our alcohol toll just like we have taken serious action to tackle our road toll.

Instead of waiting for the Government to act, Family First is today introducing new laws to reduce Australia’s crippling alcohol toll and change our binge drinking culture.

Family First’s Alcohol Toll Reduction Bill 2010 will:

Limit TV and radio alcohol advertising to after 9pm and before 5am, to stop alcohol being marketed to young people;

Require health information labels on all alcohol products;
Require all alcohol ads to be pre-approved by a government body comprising an expert from the medical profession, alcohol and drug support sector, accident trauma support sector and the alcohol industry;
Ban alcohol ads which are aimed at children or which link drinking to personal, business, social, sporting, sexual or other success.
Family First’s Bill is supported by the Australian Drug Foundation and Arbias, which researches the link between alcohol and brain damage.
Geoff Munro, from the Australian Drug Foundation, has said of Family First’s Bill:
“Too many hospital beds are occupied by people who have drunk too much alcohol, and too many Australians are damaged and die. Much of the alcohol toll is preventable…(Family First’) proposals are moderate and reasonable, and should meet with extensive community support.”
Sonia Berton, the chief executive officer of Arbias, which ran a national campaign to highlight the fact that two million Australians risk alcohol-related brain damage because of their risky drinking behaviour, said:
“There’s no question that we’re going to see a whole generation of brain damaged Australians emerging based on current drinking levels. Treatment providers will be literally swamped in the next 10 years because of this massive invisible issue. There are enough Australians at risk of alcohol-related brain damage right now to fill 4,800 jumbo jets. We have to get serious about tackling the massive impact alcohol is having on our society. This bill is a clear step forward. Alcohol is causing mammoth damage in our community. Why aren’t we being told? Where are the ads and messages warning people?”
Family First has met with both sides of Parliament to discuss the alcohol toll and our Bill. Both sides of Parliament are concerned about the alcohol toll and understand its seriousness, so I’m hoping now they will be willing to take tough action to tackle Australia’s alcohol toll.
Australia’s alcohol toll is a $16 billion national disgrace.
But I acknowledge it is very tough for the government of the day to take tough action on the alcohol toll because of the HUGE amount of revenue the Government raises through alcohol taxes, and when you consider the power of the alcohol lobby.
Family First’s top concern is the health and welfare of Australia’s families and that is why we are taking action to reduce Australia’s alcohol toll.
It is one thing to SAY you are concerned about a serious problem, but it is truly another thing to actually take tough action.
Just look at some of the statistics on Australia’s alcohol toll; they are truly horrifying.
Alcohol causes almost 4,300 deaths each year, is responsible for 40 per cent of police work and is a factor in up to one in five road deaths.
Alcohol kills three times more Australians than all illicit drugs combined.
450,000 Australian children under 12 are at risk of being exposed to binge drinking in their home by a parent or other adult, according to the Australian National Council on Drugs;
35 per cent of Australians drink at levels that risk short-term harm and 10 per cent at levels that risk long-term harm, according to the Australian Institute of Health and Welfare; and,
Alcohol is at the top of the list of drugs Australians seek treatment for, according to the Institute.
As a nation, Australia has tackled our road toll, our drug toll and our tobacco toll. And we should be proud of the fact we have had success. Surely it is time for Australia to tackle our alcohol toll.
Advertisers are being allowed to link alcohol with sport and with success and achievement. TV ads encourage under-age drinking and associate sporting success or success in life with drinking.
Are these the messages we really want to be sending to our children? That to have a good time, to celebrate their achievements and to have a big night out, they have to get plastered, blind drunk, at the same time.
Another big problem is that the alcohol industry regulates itself, and is responsible for its own TV and radio advertising. What a joke!
Families are given the impression that the Advertising Standards Bureau - a body that sounds in-
dependent and impartial - regulates alcohol advertising.

But if you dig a bit deeper, you find that alcohol advertising is looked after by the Alcoholic Beverages Advertising Code (ABAC) Chief Adjudicator, who is not named.

So who actually administers the scheme?

The answer is found on the website of the Distilled Spirits Industry Council of Australia, which is part of the ABAC management committee.

The ABAC Management Committee also includes other major alcohol groups, the Australian Associated Brewers, the Liquor Merchants Association of Australia and the Winemakers' Federation of Australia Inc (WFA).

Family First's new laws will be an important first step in seeking to create a culture of responsible drinking in Australia.

As I stated at the beginning, it is important to stress that Family First is not anti-alcohol. Alcohol is a part of life and social drinking is fine. But we must change our culture which celebrates alcohol and accepts binge drinking.

Family First believes we must adopt a policy of zero tolerance to binge drinking and our escalating alcohol toll.

As well as the huge health bill, the massive social cost and damage to family life, there is the enormous drain on police and court and prison resources, as well as problems of crime and violence, child abuse, property damage and other drug use.

Binge drinking among young Australians is a particular concern. Teenagers go out to get blind and it is considered okay.

This is a worry for all parents. My wife Sue and I have three teenage children and understand that, as parents, we are responsible for our children and are important role models. Of course we cannot let adults off the hook.

But, as I mentioned earlier, this is a major social and health issue which, as a community, we must tackle.

There are obviously other measures which could also be adopted to tackle Australia's alcohol toll, and we should look at them all. A massive advertising campaign would be among them, as would investigating the boom in liquor licences to pubs and nightclubs.

But the key point is that we have to start somewhere. And Family First's new laws set us on the right path to seriously tackle a vital issue that has for too long been ignored – perhaps because our major parties pander to the influential alcohol and sporting lobbies.

Let's start saving lives ruined by alcohol and seriously tackle Australia's binge drinking culture and alcohol toll.

DRINK CONTAINER RECYCLING BILL 2010

Family First is once again introducing the Drink Container Recycling Bill 2010 as an important environmental measure to boost the recycling of drink containers across Australia.

Back in 2008, Family First was the first political party to introduce the National Drink Container Recycling legislation into the Australian Parliament.

At the moment, only South Australia operates a container deposit scheme where there is a five cent container deposit that is redeemed when the container is returned for recycling.

Other state governments have been slow to act on this issue and Family First believes federal intervention is still needed.

Ian Kiernan, Chairman and Founder of Clean Up Australia, has said that more than a third of the 7,200 tonnes of rubbish collected on Clean Up Australia Day was recyclable drink cans and bottles made from aluminium, glass, plastic and steel.

The volume of material collected on Clean Up Australia Day is also increasing.

Obviously what Australia is doing now to recycle drink containers is not working. We need a national system that puts a value on used drink containers so they are recycled.

That's why Family First decided to introduce legislation for a national container deposit scheme similar to the one operating in South Australia.

South Australia is leading the way with container recycling at 85 per cent while the other states are
bogged down in litter with an appalling recycling rate of 35 per cent. A national container deposit scheme makes sense – it’s a big win for the environment and a big win for the community.

A national container deposit scheme is a big win for the environment because we end up with 25 per cent less litter in our streets and waterways and half a million less tonnes of waste every year as we will see container recycling lifted from 38 per cent to 85 per cent.

A national container deposit scheme is a big win for the community because we have a cleaner looking environment and local community groups and kids can earn some extra cash while keeping Australia beautiful. For example, in South Australia the Scouts receive up to $7 million per year from container recycling.

It is ridiculous to think that we don’t have a national deposit recycling scheme in place already. It is shocking to think that if you take a walk along Melbourne’s Yarra River, in under an hour you can collect five shopping bags full of bottles and other containers from the river bank. With a national deposit scheme in place, this rubbish would be recycled rather than end up as rubbish polluting our waterways.

The cost of litter on our community is largely hidden. The cost of visual pollution, rubbish and loss of enjoyment from using public areas is not easily measured.

In our market-driven society, things that do not have a cash price are often not valued. But these are often the things that have most value to families and communities. A clean environment, the ability to enjoy a barbeque at the park with the family without unsightly rubbish, as well as active community involvement in keeping public areas clean are all important, but not recognised because they do not have an obvious monetary value.

Putting a cash value on rubbish can turn trash to cash and ensure our environment is better off. More easily measurable is the value of reducing landfill and cutting greenhouse emissions.

Recycling a plastic bottle saves more than 80 per cent of the energy used to make a bottle from scratch. Similarly, recycling aluminium cans uses just five per cent of the energy used making a can from scratch.

A national container deposit recycling scheme would save 300,000 tonnes of greenhouse gases a year. That is equal to 40,000 homes running on 100 per cent green power.

A national drink container recycling scheme can save the average family $30 every year on kerbside recycling and create more than 2000 new jobs.

The Drink Container Recycling Bill 2010 provides for a system of drink container stewardship plans, where producers, distributors or industry groups must submit an approved plan to achieve a 75 per cent recycling rate within two years of the commencement of the plan and 80 per cent within five years. Distributors are included because they may be responsible for imported products not produced in Australia. The plans will be subject to public comment and the performance of the final approved plans tracked against performance requirements.

Producers will have to report annually on the performance of their plan and must complete a review of the approved plan within five years of its commencement.

Importantly, the bill uses a pollution prevention hierarchy to encourage producers to improve the environmental performance of their containers. Producers will have to detail in their plans how they will:

- reduce the environmental impact of producing beverage containers by eliminating toxic components and increasing energy and resource efficiency;
- redesign beverage containers to improve reusability or recyclability;
- reuse beverage containers;
- recycle beverage containers;
- recover material from beverage containers.

In January 2007 the man responsible for introducing South Australia’s container deposit legislation in 1975, former Labor conservation minister Glen Broomhill, died. His is a lasting legacy that is an example of successful policy we should take up nationally.
A national drink container scheme is practical environmental policy where the effect of the policy can be seen relatively quickly, in cleaner streets, parks and waterways.

Family First is taking this important initiative as the state governments are dragging their feet on litter.

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RESPONSIBLE TAKEAWAY ALCOHOL HOURS BILL 2010

Family First is not anti-alcohol. We know alcohol is a part of life and social drinking is fine. But our culture is one that celebrates alcohol and binge drinking – it is way out of control and we simply must do something about it.

But Australia has a serious binge drinking problem which is killing Australians, particularly young Australians and is compromising the safety in our community.

Every week we read about another serious incident from alcohol fuelled violence or of another tragic death caused by alcohol.

Our binge drinking culture is a serious social and health issue and Australians are beginning to wake up and now want tough action to tackle our $16 billion alcohol toll.

The extent of this problem goes further than people think and the statistics to back it up are simply horrifying.

Alcohol causes almost 4,300 deaths each year and costs almost 400,000 hospital bed days per year. It accounts for around 40 per cent of police work and is the cause of one in five deaths on our roads.

Binge drinking robs our society to the tune of $16 billion a year, and also inflicts an enormous emotional cost—splitting families apart and destroying relationships.

In a survey released last year, the Alcohol Education and Rehabilitation Foundation revealed that more than 80 per cent of Australians recognise that as a society we have a drinking problem and that 85 per cent of Australians want more done to fix that problem.

In April last year, the Brumby Labor Government was forced to hold an emergency summit because the alcohol-fuelled violence in Melbourne was spiralling out of control.

Since then, things have only gotten worse.

One of the factors which is making this problem worse are the 24 hour takeaway alcohol stores operating around our cities which let younger people load up on cheap alcohol around the clock and then spill out onto the streets.

It’s no wonder there is so much violence on our streets when you don’t have proper regulations controlling these outlets selling packaged liquor.

In my home state of Victoria there are 144 licensees allowed to serve alcohol around the clock and 37 such outlets sell packaged liquor.

This is crazy and should not be allowed to continue – especially given out $16 billion alcohol toll.

The Responsible Takeaway Alcohol Hours Bill is a major piece of legislation and will go a long way to curbing the alcohol fuelled violence which has taken over our streets.

Under this legislation, it will be prohibited to sell takeaway alcohol after midnight and before 7am in the morning.

Any business caught doing this will be up for a fine of $10,000.

Stopping the sale of takeaway alcohol at all hours of the night is long overdue and it’s crazy that it has taken so long to address this issue.

This policy has the support of numerous public health groups and no doubt many parents too.

Geoff Munro from the Community Alcohol Action Network has said previously, “In the interests of reducing the mayhem on the streets, assaults, the glassings, people suffering brain damage and even dying after being king hit on the street, it doesn’t seem an unreasonable limitation that people should not be able to buy alcohol right through the night”.

There’s no silver bullet solution to our $16 billion alcohol toll, but this bill is certainly a very important step.

Last year we saw the ridiculous situation where the Victorian Civil and Administrative Tribunal gave the green light to the Exford Hotel to continue selling packaged liquor all night.
This was despite the fact that the tribunal was referred to 30 examples of public drunkenness and disorderly and drunken behaviour outside or around the hotel.

Clearly the laws in place at the moment are not strong enough to deal with the problems facing our streets and the Responsible Takeaway Alcohol Hours Bill will help address this issue.

People who are loading themselves up on alcohol at two, three or four in the morning are people who are more likely to get into trouble and cause problems on our streets.

Allowing the sale of takeaway alcohol at all hours of the night only undoes a lot of the hard work done by our brave police force to keep our streets safe and free of violence.

As a father of three children, I know that I worry about their safety when they are out late at night, because of the surging violence on our streets.

Restricting the hours of sale of takeaway alcohol is a move that will bring a sigh of relief to thousands of mums and dads across the country and is a policy that should be supported by both sides of Parliament.

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

Leave granted; debate adjourned.

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

BUSINESS

Consideration of Legislation

Senator FIELDING (Victoria—Leader of the Family First Party) (9.49 am)—I move:

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

(2) That the following bills be restored to the Notice Paper and that consideration of the bill be resumed at the stage reached in the last session of the Parliament:

Choice of Repairer Bill 2010
Keeping Jobs from Going Offshore (Protection of Personal Information) Bill 2009
Plain Tobacco Packaging (Removing Branding from Cigarette Packs) Bill 2009

Question agreed to.

MINING TAXATION

Order

Senator CORMANN (Western Australia) (9.50 am)—I move:

That the Senate—

(a) notes that:

(i) the Government continues to hide key assumptions it has used to estimate revenue from its original as well as its revised mining tax proposals,

(ii) since the last sitting of the Senate, the Select Committee on Fuel and Energy repeatedly sought information from the Government about changes it made to those assumptions between the 2010-11 Budget and the announcement of the new proposed mining tax arrangements on 2 July 2010,

(iii) the committee specifically sought information about changes to commodity price, production volume, exchange rate assumptions and any other variables relevant to its mining tax revenue estimates,

(iv) the information sought by the committee is published by the Western Australian State Government in its budget papers as a matter of course,

(v) the Government did not allow the Secretary of the Department of the Treasury (Dr Henry) to provide that information even when he appeared before the committee for a second time on 13 July 2010,

(vi) the Prime Minister (Ms Gillard) to this day has not responded to Senator Cormann’s letter, dated 12 July 2010, asking for this information to be released,

(vii) the Treasurer (Mr Swan) has since conceded that:
(A) under the revised assumptions, the original Resource Super Profits Tax (RSPT) proposal would have raised approximately $24 billion over the forward estimates rather than the $12 billion revenue estimate contained in the Budget.

(b) a massive $6 billion out of the $10.5 billion revised mining tax revenue estimate was based on changes to government assumptions, and

(c) under the original assumptions, the Mineral Resource Rent Tax (MRRT) or expanded Petroleum Resource Rent Tax (PRRT) would only have raised $4 billion over the forward estimates, and

(viii) the release of all relevant government assumptions is necessary to enable proper scrutiny of the Government’s mining tax proposal and that, as such, release of that information is in the public interest;

(b) calls on the Government to honour its stated commitment to openness and transparency and release all the information it holds about mining tax revenue estimates forthwith; and

(c) orders that there be laid on the table by 5 pm on Thursday, 30 September 2010 all the Government’s assumptions used to estimate:

(i) the revenue from the RSPT as contained in the 2010-11 Budget, including but not limited to, the assumptions on commodity prices, production volumes and exchange rates, and

(ii) the revenue from and overall fiscal impact of the MRRT/expanded PRRT arrangement announced on 2 July 2010, including all changes to assumptions used for the 2010-11 Budget.

Question agreed to.

Order

Senator CORMANN (Western Australia) (9.51 am)—I move:

That the Senate—

(a) notes that:

(i) the Government conducted negotiations about its revised mining tax with BHP Billiton, Rio Tinto and Xstrata in secret before entering into an agreement about this new mining tax proposal with those three companies only,

(ii) approximately 99 per cent of the mining industry was excluded from those secret mining tax negotiations, and

(iii) in its haste to reach a new deal quickly, the Government gave those three companies an unfair competitive advantage, including by:

(A) allowing them to directly influence the ultimate design of the new tax while excluding their competitors,

(B) using data provided by those three companies on commodity prices, production volumes and other key assumptions, and

(C) giving them preferential access to inside information about Government assumptions and thought processes around the new tax;

(b) considers that:

(i) information made available by the Government to those three companies should be made available to everyone,

(ii) any data provided by those three companies for use in any Treasury modelling of the revised mining tax proposals should be publicly released, and

(iii) all parts of any agreement between the Government and those three companies about the revised mining tax arrangements, including any schedules and other attachments, should be publicly available; and

(c) orders that there be laid on the table by 5 pm on Thursday, 30 September 2010:

(i) any information held by the Government related to the negotiations and agreement about the new mining tax proposal announced on 2 July 2010, in-
cluding but not limited to, briefing notes, e-mails, data provided to the Government by BHP Billiton, Rio Tinto and Xstrata and any other information generated in the context of the negotiations about the new mining tax proposal, and

(ii) a copy of the signed heads-of-agreement on the new mining tax proposal between the Government and BHP Billiton, Rio Tinto and Xstrata.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9:51 am)—by leave—I should explain that the Greens are not supporting this suite of motions from Senator Cormann, although we support the active component of it. I have spoken with the good senator about this. We do not agree with the preamble. Without going into detail, it is a politically loaded preamble. There are assertions amongst motions 4, 5 and 6 that we cannot back without going into a long debate in this place. While we are in support of the active component, to support these motions would be to support the information asserted by Senator Cormann in the lead-up to that active component. We cannot in this situation do that. That is why we are opposing the motions.

Senator CORMANN (Western Australia) (9:52 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator CORMANN—A committee of the Senate and individual senators have sought access to information for three months now in relation to key assumptions which underpin the government’s estimates for mining tax revenue. The government has for three months declined to provide that information—without any proper claim of public interest immunity and without providing a proper statement of reasons as to why the release of that information would not be in the public interest. It is not earth-shattering information that we are seeking either. The first motion relates to the commodity price, production volume and exchange rate assumptions used by the government. Changes in assumptions between the original mining tax and the revised mining tax had a significant impact on the revenue estimate outcome, yet the government continues to keep those assumptions secret. We think the release of that information is critical for the Senate and the public to be able to properly scrutinise the impact of this tax. It is information which, for example, state governments of both persuasions in Western Australia publish as a matter of course in their budget papers. I do not understand why the government is treating this as if it is a national security related state secret. As such, I commend those motions to the Senate—particularly in the context of the stated commitment from the government to a new era of openness and transparency which has been asserted by the Prime Minister on a number of occasions.

Question agreed to.

Order

Senator CORMANN (Western Australia) (9:54 am)—I move:

That the Senate—

(a) notes that:

(i) the executive director of the Revenue Group in the Department of the Treasury (Mr David Parker) told the Select Committee on Fuel and Energy on 5 July 2010 that the department:

(A) had assessed where the $10.5 billion estimated revenue from the revised mining tax was expected to come from ‘by commodity’, and

(B) had not assessed where that revenue would come from on a state-by-state basis, but that ‘it would not be a difficult piece of analysis to do’,
(ii) despite repeated requests since, the Government has refused to provide that information,

(iii) this information is required to properly assess and scrutinise the impact of the proposed mining tax on the economy, jobs and on individual states and territories and individual sectors of the resources industry,

(iv) furthermore, the Rudd and Gillard Governments made a commitment that funding from the mining tax related ‘infrastructure fund’ would be allocated to individual states and territories based on the level of mining tax revenue raised in those jurisdictions, and

(v) as such, information about where the revenue is expected to come from on a state-by-state and territory basis is necessary to properly scrutinise whether, and ensure that, individual jurisdictions would receive a fair share of funding from that fund; and

(b) orders that there be laid on the table by 5 pm on Thursday, 30 September 2010:

(i) Government estimates of where the $12 billion in revenue from the Resource Super Profits Tax was expected to come from by commodity and by state and territory, and

(ii) Government estimates of where the $10.5 billion in revenue from the Minerals Resource Rent Tax/expanded Petroleum Resource Rent Tax is expected to come from by commodity and by state and territory.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (9.54 am)—I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator BOB BROWN—I thank the Senate. I will give an instance of why it is difficult to support the preamble. It begins with ‘that the Senate notes that the executive director of the Revenue Group had not assessed where certain revenue would come from’. Straight after that it says, ‘despite repeated requests since, the government has refused to provide that information’. On the one hand ‘it has not been assessed’, and on the other hand the government is being asked to provide it. It is not good drafting, it is inherently nonsense, and a much shorter preamble would do. Again, we support the active component, but it is not clear what the preamble means. It is not logical and it ought to have been put more clearly.

Senator CORMANN (Western Australia) (9.55 am)—I seek leave to make a brief statement.

The PRESIDENT—Leave is granted for two minutes.

Senator CORMANN—This issue was the subject of two lengthy Senate fuel and energy committee hearings with Dr Henry. During those meetings Dr Henry and senior Treasury officials were asked whether they were able to identify where the mining tax revenue would come from by state and territory on the basis that the Regional Infrastructure Fund, which had been committed in the context of this tax, would be allocated proportionally to where the money was raised from. We asked the obvious question: are you able to assess this? Treasury told us it would not be a difficult piece of analysis to do, and they took it on notice. When the answers on notice came back, the government essentially declined to provide that information. After Treasury took the question on notice and senior Treasury officials told us it would not be difficult to identify this information, the government made this decision, I would suggest, because they did not want the people in Western Australia and Queensland in particular to know how much of the mining tax revenue would come from those states. The government made a decision to decline to provide that information. We think
it is in the public interest for that information to be provided so that, again, the impact of this particular tax on the economy, on jobs, on the budget and on individual states and territories can be properly assessed.

Senator McEWEN (South Australia) (9.56 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator McEWEN—in relation to motions 4, 5 and 6 moved by Senator Cormann, I note that the government opposed those motions. However, we recognise that the opposition had the support of at least Senators Xenophon and Fielding and therefore had the majority. So the government did not call for a division.

Question agreed to.

COMMITTEES

Scrutiny of New Taxes Committee

Establishment

Senator CORMANN (Western Australia) (9.57 am)—Mr President, I seek leave to amend general business notice of motion No. 52 standing in my name today proposing the establishment of a select committee on new taxes, by adding after paragraph (11) the following:

(12) That the committee provide an interim report by 8 June 2011.

Leave granted.

Senator CORMANN—I move the motion as amended:

(1) That a select committee, to be known as the Select Committee on New Taxes, be appointed to inquire into and report by 30 November 2011, on the following matters:

(a) new taxes proposed for Australia, including:

(i) the minerals resource rent tax and expanded petroleum resource rent tax,

(ii) a carbon tax, or any other mechanism to put a price on carbon, and

(iii) any other new taxes proposed by Government, including significant changes to existing tax arrangements;

(b) the short and long term impact of those new taxes on the economy, industry, trade, jobs, investment, the cost of living, electricity prices and the Federation;

(c) estimated revenue from those new taxes and any related spending commitments;

(d) the likely effectiveness of these taxes and related policies in achieving their stated policy objectives;

(e) any administrative implementation issues at a Commonwealth, state and territory level;

(f) an international comparison of relevant taxation arrangements;

(g) alternatives to any proposed new taxes, including direct action alternatives; and

(h) any other related matter.

(2) That the committee consist of 7 senators, 2 nominated by the Leader of the Government in the Senate, 4 nominated by the Leader of the Opposition in the Senate, and 1 nominated by any minority group or independent senator.

(3) That:

(a) participating members may be appointed to the committee on the nomination of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate or any minority party or independent senator;

(b) participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee; and

(c) a participating member shall be taken to be a member of the committee for
the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

(4) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.

(5) That the committee elect an Opposition member as its chair.

(6) That the chair of the committee may, from time to time, appoint another member of the committee to be deputy chair of the committee, and that the member so appointed act as chair at any time when there is no chair or the chair is not present at a meeting of the committee.

(7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That the committee have power to appoint subcommittees consisting of 4 or more of its members and to refer to any such subcommittee any of the matters which the committee is empowered to examine.

(9) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings, the evidence taken and such interim recommendations as it may deem fit.

(10) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(11) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

(12) That the committee provide an interim report by 8 June 2011.

Question agreed to.

Senator McEWEN (South Australia) (9.58 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator McEWEN—In relation to the motion, I note that the government opposed the motion. However, we recognise that the coalition had the support of Senator Xenophon and therefore had the majority. So we did not seek a division.

ASYLUM SEEKERS

Senator CASH (Western Australia) (9.58 am)—I seek leave to amend general business notice of motion No. 44 standing in my name today relating to the processing of asylum applications from Afghan nationals.

Leave granted.

Senator CASH—Mr President, I seek leave to make a very short statement in relation to the amendment.

The PRESIDENT—Leave is granted for one minute.

Senator CASH—In relation to the motion—the immediate lifting of the discriminatory suspension of processing of claims by Afghan asylum seekers—the coalition maintains that this was nothing more and nothing less than a sham. It was an artificial contrivance of policy for politically motivated reasons. We would, therefore, call on the government to lift the ban. However, in relation to subparagraph (b)(iii), we recognise that, whilst this is consistent with coalition policy on the matter—we would say that the provision of safe haven visas is an appropriate response to the immigration issue at hand—we understand that we will not have the support of the Greens and the Independents on that, and so we will be removing subpara-
graph (b)(iii) from the motion. I move the motion as amended:

That the Senate—

(a) notes that:

(i) the Convention Relating to the Status of Refugees states that ‘contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin’,

(ii) the Government suspended the processing of asylum seeker applications from Afghanistan on 9 April 2010, and

(iii) there are more than 5,000 persons currently being detained by the Department of Immigration and Citizenship on the mainland and Christmas Island; and

(b) calls for the:

(i) immediate lifting of the discriminatory suspension on processing of claims by Afghan asylum seekers, and

(ii) immediate processing of asylum claims of all Afghans held in detention.

Senator HANSON-YOUNG (South Australia) (10.00 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for one minute.

Senator HANSON-YOUNG—I thank the coalition for amending their motion. The motion now is very similar in essence to the motion that was passed yesterday in this chamber. The suspension policy is clearly impractical. It is inhumane and the government must lift it and not reinstate it for any other national group either. It is really important that the government gets this message. I thank the coalition for removing subparagraph (b)(iii), because the Greens do not want to see the government adopt a rehashed version of the temporary protection visa system.

Question agreed to.

Senator McEWEN (South Australia) (10.01 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator McEWEN—I note that the government opposed that motion; however, we recognise that the coalition had, as I understand it, the support of the Greens and, therefore, have the majority; so the government did not seek a division.

AUSTRALIAN BUILDING AND CONSTRUCTION COMMISSION

Senator PARRY (Tasmania) (10.02 am)—At the request of Senator Abetz, I move:

That the Senate—

(a) thanks the Honourable John Lloyd PSM for his diligent and professional service to the Australian people, and to the Australian building and construction industry through his 5 year stewardship of the Australian Building and Construction Commission (ABCC), and wishes him well in his retirement;

(b) notes the ABCC celebrates its 5th anniversary on 1 October 2010;

(c) thanks the staff of the ABCC, past and present, for their service and dedication which has resulted in real change to the building and construction sector;

(d) notes that during the tenure of Mr Lloyd the work of the ABCC has contributed significantly to the Australian economy and community, including an annual economic welfare gain of $5.5 billion (2007-08 terms), a reduction in consumer price index of 1.2 per cent and an increase to gross domestic product of 1.5 per cent; and

(e) the ABCC has also significantly reduced the incidence of thuggery and illegal activity on Australia’s building and construction sites through successful prosecution of illegal behaviour and the ABCC is to be
commended for fulfilling its responsibility in supporting a workplace relations framework that ensures building work is carried out fairly, efficiently and productively.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (10.02 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDWIG—Because of the inappropriate detail contained within the motion—and I will not go specifically to that detail—the government does not support this motion. The government, however, acknowledges the work of the Hon. John Lloyd as the first Commissioner of the Australian Building and Construction Commission. Mr Lloyd’s appointment expired on 28 September 2010. On Tuesday this week the government announced that Mr Leigh Johns would replace Mr Lloyd as commissioner. The government is committed to reintroducing the Building and Construction Industry Improvement Amendment (Transition to Fair Work) Bill 2009 as an early priority.

Senator XENOPHON (South Australia) (10.03 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator XENOPHON—For reasons similar to those set out by Senator Ludwig, I cannot support the motion. I think Senator Ludwig has summed it up pretty well in terms of what my position will be on this.

The PRESIDENT—The question now is that the motion moved by Senator Parry at the request of Senator Abetz be agreed to.

The Senate divided. [10.08 am]

(The President—Senator the Hon. JJ Hogg)
KIMBERLEY LIQUEFIED NATURAL GAS PRECINCT

Senator SIEWERT (Western Australia) (10.11 am)—I move:

That the Senate—

(a) notes:

(i) with concern, the statement of intent to compulsorily acquire land at James Price Point in the Kimberley by the Premier of Western Australia (Mr Barnett) to site a natural gas processing facility, and

(ii) that compulsory acquisition of Aboriginal land directly contravenes the principle of prior informed consent as embodied in the United Nations Declaration on the Rights of Indigenous Peoples to which Australia has recently made a formal statement of support; and

(b) calls on the Premier to abandon his plans to compulsorily acquire Aboriginal land at James Price Point.

Question put.

The Senate divided. [10.12 am]

(The President—Senator the Hon. JJ Hogg)

Ayes............ 6
Noes............ 54
Majority........ 48

AYES

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

NOES

Adams, J. Back, C.J.
Barnett, G. Bernardi, C.
Bilyk, C.L. Bishop, T.M.
Boswell, R.L.D. Boyce, S.
Brandis, G.H. Brown, C.L.
Bushby, D.C. Cameron, D.N.
Carr, K.J. Cash, M.C.
Collins, J. Conroy, S.M.
Coonan, H.L. Cormann, M.H.P.

Crossin, P.M. Farrell, D.E.
Feeley, D. Fielding, S.
Fifield, M.P. Fisher, M.I.
Forshaw, M.G. Furner, M.L.
Hogg, J.J. Humphries, G.
Hurley, A. Hutchins, S.P.
Joyce, B. Kroger, H.
Ludwig, J.W. Lundy, K.A.
Marshall, G. Mason, B.J.
McEwen, A. McGauran, J.J.J.
Minchin, N.H. Moore, C.
Nash, F. Parry, S.
Payne, M.A. Polley, H.
Pratt, L.C. Ryan, S.M.
Scullion, N.G. Sherry, N.J.
Stephens, U. Sterle, G.
Troeth, J.M. Williams, J.R.
Wong, P. Wortley, D.

* denotes teller

Question negatived.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (10.16 am)—I seek leave to make a short statement in respect of motion No. 55.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDWIG—The Premier of Western Australia, in initiating action to compulsorily acquire land at James Price Point, is taking that action in accordance with the provisions of the Commonwealth Native Title Act. On that basis we do not support the motion as has clearly been exercised. To exercise a right granted by and strictly in accordance with the law of the Commonwealth, the appropriate course of action should be for an amendment or a private member’s bill to allow it to be properly considered by parliament if that was the wish of the Senate. The government opposes the motion but remains committed to discussions continuing between the Kimberley Land Council, Woodside and the WA government to negotiate an Indigenous land use agreement. The Minister for Resources and Energy has advised me that a negotiated out-
ANGELA PAMELA URANIUM MINE

Senator LUDLAM (Western Australia) (10.17 am)—I move:

That the Senate—

(a) notes and acknowledges the long standing opposition of residents of Alice Springs and surrounding areas to the development of the Angela Pamela uranium mine, 20 kilometres from Alice Springs;

(b) congratulates:

(i) the Chief Minister of the Northern Territory (Mr Henderson) for his clear statement of opposition to this mine, and

(ii) Mr Terry Mills, the Leader of the Territory Country Liberal Party for his clear statement of opposition to this mine; and

(c) calls on the Gillard Government immediately to indicate whether or not the position of the Northern Territory Government, Northern Territory Opposition and Territory Greens will be respected.

I seek leave to make a brief statement.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDLAM—Both the government and opposition whips have indicated that there is no support for this motion, so what I want to do briefly is test the room to see whether it is possible to get a brief statement or whether Senator Ludwig was planning on putting something on the record.

Senator Ludwig—I am.

Senator LUDLAM—You are? That is great. This motion relates to some announcements from the Chief Minister of the Northern Territory yesterday relating to the Angela Pamela uranium proposal, which is about 20 kilometres from Alice Springs, that were followed shortly afterwards by Mr Terry Mills, who is the leader of the Territory Country Liberal Party, that there is now cross-party support—ALP, CLP and Greens—in the Northern Territory, responding to longstanding community opposition to the Angela Pamela uranium mine on the outskirts of Alice. What this motion really seeks to do is draw out from the Gillard government as to whether the wishes of the Central Australian community would be respected or not, as the Rudd government assumed overarching responsibility for signing off uranium mines in the Northern Territory. It is quite clearly within the power of the Gillard government to override the cross-party opposition to the uranium mine, which reflects a strong community sentiment. In the context of a by-election which is playing out in Central Australia at the moment, I do not think it is unreasonable for both the government and the opposition to put some kind of comment on the record if they believe a motion in the Senate is too much of a blunt instrument. I would invite comment on this.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (10.19 am)—I seek leave to make a short statement on the motion.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDWIG—The words that I am going to use do not go strictly to the point that you raised. Now that you have put it on the record, I will seek further information from the minister for a reply. The current words that I am going to use I do not think go strictly to the point that you have raised, but I will get back to the Senate as soon as I can with a response for you. It may not stop you from moving the motion that you are now proposing.

In accordance with the position of seeking leave, can I add that the Northern Territory Mining Act sets out the process by which any exploration or mining in the Northern
Territory must be approved; any role that the Commonwealth has in such process will be undertaken strictly in accordance with the law. The Minister for Resources and Energy has advised me that there is no application before the Commonwealth relating to mining at the Angela Pamela mine and therefore the Commonwealth has no decision to make at this point. The government therefore does not support the motion.

Question negatived.

UNITED NATIONS PARLIAMENTARY ASSEMBLY

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.20 am)—I move:

That the Senate—

(a) recognises the 2010 international meeting of the Campaign for the Establishment of a United Nations Parliamentary Assembly; and

(b) congratulates this gathering of parliamentarians from around the world for their work in making an important step towards global democracy.

Question negatived.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.21 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator BOB BROWN—My understanding is that both the government and the opposition oppose this motion. Not since 2002 has a motion supporting global democracy been before the Senate and at that time it was also voted down. This motion refers to a meeting of parliamentarians in New York which is aimed at establishing a parliamentary democracy for the world’s people based on the principle—

Honourable senator—It’s called a world government.

Senator BOB BROWN—I have a senator injecting ‘world government’. We have a world government in the United Nations, which this country took a role in establishing. What I do not understand—and maybe I will make this a matter for some more deliberative debate in the future, Mr President—is why, each time global democracy is brought up in this place, both the big parties oppose it. We go to war over supporting democracy in countries elsewhere around the world. The opposition certainly supported the invasion of Iraq on the basis of extending democracy to that country. When it comes to a principle of democracy being given to the nearly seven billion people on the planet, it seems that there is no willingness to support that ethic of democracy whatsoever. I find that inexplicable, so at a future time in this Senate I will move for a debate on the matter so that we can evince whatever the reason can be for this widespread opposition to democracy when it comes to a planetary point of view.

MONTARA COMMISSION OF INQUIRY

Order

Senator SIEWERT (Western Australia) (10.23 am)—I move:

That there be laid on the table by the Minister representing the Minister for Resources and Energy (Senator Sherry), by Friday, 8 October 2010, the report of the Montara Commission of Inquiry.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (10.24 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDWIG—I thank the Senate. On behalf of the minister, I inform the Senate that detailed government consideration of the Montara report is continuing and the minister
intends to release the report publicly together with the draft whole-of-government response for public consultation before the end of this year. It is the government’s firm belief that this process will result in the speediest and most effective response to the lessons from the Montara incident and that early release of the report will compromise that process. The government therefore does not support the motion.

Senator SIEWERT (Western Australia) (10.24 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator SIEWERT—Thank you. This accident happened on 21 August last year. That is more than a year ago. By the time the government releases this report—the minister said it will not be until the end of the year—it will be 18 months down the track. Eighteen months after this accident happened Australia may have access to the commission of inquiry’s findings and recommendations. In the meantime, under the existing regulations oil and gas production is going on around this country and more wells are being established. The transcript of the inquiry clearly shows that the compliance process needs to be fixed. Eighteen months after this accident, the most serious we have had in Australia for a very long time, the government will see fit to release the inquiry report.

If you look at the accident in the Gulf of Mexico, BP has already released its own report and there are more reports coming. The United States congress has already investigated this and made information public. Yet, here in Australia, 18 months down the track, the population may—only may, because although the government previously said it would release the report as soon as possible we are still waiting—get to see the report and recommendations. Then the government may see fit to examine the regulation that governs our oil and gas mining practice. That is not good enough. Australians deserve to see the recommendations and findings of the inquiry.

Question negatived.

FOOD LABELLING

Senator SIEWERT (Western Australia) (10.26 am)—I, and also on behalf of Senator Xenophon, move:

That the Senate—

(a) notes recent reports in Australia that found infant formula had been contaminated with genetically modified (GM) soy and corn;

(b) acknowledges the significant level of community concern about food labelling and safety issues in Australian food products, particularly those being fed to infants and young children; and

(c) calls on the Government to introduce clear and effective labelling standards that require all GM additives in Australian food products to be labelled.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (10.27 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator LUDWIG—The government notes that it is already the case that approved genetically modified foods must be labelled if novel genetic material is in the food, except where there is the unintentional presence of GM material of less than one per cent. In addition, the motion would pre-empt the findings of a formal review into the issue of food labelling law and policy which is currently being undertaken by an independent expert panel headed by Dr Neal Blewett. All GM foods must undergo a rigorous pre-market safety assessment by Food Standards Australia New Zealand before they are
committed to be sold in Australia. Unapproved GM food cannot under Australian law be sold in Australia. Further consideration of labelling of genetically modified foods was identified in the issues paper for the Blewett review, which was released for public consultation as part of this review. The review panel is now considering the stakeholders’ perspective provided in the written submissions and other information gathered during the course of the review process to inform the development of its recommendations. The final report of the review panel will be provided to government through the Australian and New Zealand Food Regulation Ministerial Council in December 2010 and the Council of Australian Governments in early 2011. On those bases the government does not support the motion.

Senator SIEWERT (Western Australia) (10.28 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator SIEWERT—What has preempted this, particularly today, is that Greenpeace—not Food Standards Australia New Zealand and not the government—tested some baby formula and found genetically modified product present. It also found the presence of the antibiotic resistance marker. They do not know it but Australians are feeding it to their infants. Mothers want to be able to make a choice. It is not good enough to say that FSANZ tests products. It obviously does not, in fact, test products; it relies on information from industry. The point is that there is baby formula on the market in Australia at the moment that mothers and fathers are feeding their babies thinking it is safe. If they knew that there was genetically modified product in it, they would not buy it. That is what the surveys show and that is what companies do not want. They do not want to have to put ‘May contain genetically modified organisms’ on their labels and they certainly do not want to tell parents that their products may contain the antibiotic resistance marker, which may have very serious consequences for children later in life.

The government has been talking about reviewing and amending labelling laws for years. I have been in this place for over five years now, and for over five years you have been talking about fixing up labelling. It is not good enough. They need to do it now, not wait for another review. The parents of Australia at the moment are not able to make informed choices and they are saying that is not good enough.

Senator XENOPHON (South Australia) (10.30 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator XENOPHON—I endorse the remarks of my colleague Senator Siewert. Anyone who saw the Sunday night program on the Seven network last Sunday would be very disturbed at the findings that it took Greenpeace, not our food regulatory authorities, to discover that there are genetically modified organisms in baby formula. It shows how weak our labelling laws are in this country, how weak the regulatory framework is. The regulator should be doing this, not an NGO. I am disappointed that the government has not made a stronger statement to say that this is completely unacceptable, that whatever the outcome of any review we need to move on this to ensure that consumers are fully informed, particularly with regard to baby formula, and that there are not any genetically modified organisms in the product. If you look at the science, there is a real concern about the long-term health effects of genetically modified organisms in foods and the effect they could have,
for instance, on the immune systems of infants. So I think the government needs to do a lot better on this in terms of its position.

Senator HEFFERNAN (New South Wales) (10.31 am)—I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator HEFFERNAN—I do not think anyone much in this chamber understands what this is about. They are right. I seek leave to move a motion to defer it until everyone can get their head around it.

Leave granted.

Senator HEFFERNAN—I move:

That further consideration of the matter be an order of the day for the next day of sitting.

Senator WONG (South Australia—Minister for Finance and Deregulation) (10.32 am)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator WONG—The government has indicated that it will give leave to Senator Heffernan’s motion. But could I just make an observation about Senate procedure, not about the policy matters Senator Siewert so eloquently put to us. This is not a time in Senate proceedings which lends itself easily to sensible and considered debate. Senators have been sitting in the chamber for some time on this issue. There are mechanisms for these sorts of debates to be organised, to be structured appropriately and for parties in this place to be given the courtesy of the ability to consider some of the issues before the chamber. So I would invite senators, if they have such issues, to perhaps consider using the procedures which are available, the opportunities for debate which are available, to senators in this place.

Senator XENOPHON (South Australia) (10.33 am)—I seek leave to amend Senator Heffernan’s motion.

The PRESIDENT—Postponement is automatically to the next day of sitting.

Senator XENOPHON—That solves my problem, Mr President.

Question agreed to.

The PRESIDENT—I thank honourable senators for their cooperation in assisting us through that part of the Senate’s business this morning.

LIBERAL PARTY OF AUSTRALIA AND THE NATIONALS

Leadership and Office Holders

Senator FIFIELD (Victoria)—Manager of Opposition Business in the Senate (10.34 am) by leave—Earlier in the week Senator Abetz tabled the shadow ministerial arrangements and chamber representation. I seek leave to table the shadow ministerial arrangements and chamber representation. I seek leave to table the coalition precedence order, which includes chamber management and whip arrangements.

Leave granted.

BUDGET

Consideration by Estimates Committees

Additional Information

Senator POLLEY (Tasmania) (10.35 am)—I present additional information received by committees relating to estimates.

The list read as follows—

Budget estimates 2009-10 (Supplementary)—

Legal and Constitutional Affairs Legislation Committee—Additional information received between 25 February and 28 September 2010—Immigration and Citizenship portfolio.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 18 March and 29 September
2010—Agriculture, Fisheries and Forestry portfolio.

Additional estimates 2009-10—
Legal and Constitutional Affairs Legislation Committee—Additional information received between 17 June and 28 September 2010—Attorney-General’s portfolio.

Rural and Regional Affairs and Transport Legislation Committee—Additional information received between 24 June and 29 September 2010—Agriculture, Fisheries and Forestry portfolio.

Budget estimates 2010-11—
Community Affairs Legislation Committee—Additional information received between 24 June and 29 September 2010—
Families, Housing, Community Services and Indigenous Affairs portfolio.
Health and Ageing portfolio.
Indigenous issues across portfolios—Human Services portfolio.

Economics Legislation Committee—Additional information received between 27 May and 29 September 2010—
Innovation, Industry, Science and Research portfolio.
Resources, Energy and Tourism portfolio.
Treasury portfolio.

Education, Employment and Workplace Relations Legislation Committee—Additional information received between 21 June and 29 September 2010—Education, Employment and Workplace Relations portfolio.

Environment, Communications and the Arts Legislation Committee—Additional information received between 23 June and 29 September 2010—

Broadband, Communications and the Digital Economy portfolio.
Environment, Water, Heritage and the Arts portfolio.
Legal and Constitutional Affairs Legislation Committee—Additional information received between—
17 June and 28 September 2010—Attorney-General’s portfolio.
23 June and 28 September 2010—Immigration and Citizenship portfolio.

COMMITTEES

Joint Committees

Establishment

The ACTING DEPUTY PRESIDENT (Senator Troeth)—Messages have been received from the House of Representatives transmitting for concurrence resolutions relating to the formation of joint committees.

The House of Representatives messages read as follows—
Message no. 1, dated 29 September 2010—Joint Select Committee on Cyber-Safety
Message no. 2, dated 29 September 2010—Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity
Message no. 3, dated 29 September 2010—Parliamentary Joint Committee on the Australian Crime Commission
Message no. 4, dated 29 September 2010—Parliamentary Joint Committee on Corporations and Financial Services
Message no. 5, dated 29 September 2010—Joint Standing Committee on Electoral Matters
Message no. 6, dated 29 September 2010—Joint Standing Committee on Foreign Affairs, Defence and Trade
Message no. 7, dated 29 September 2010—Joint Standing Committee on Migration
Message no. 8, dated 29 September 2010—Joint Standing Committee on the National Capital and External Territories
Message no. 9, dated 29 September 2010—Joint Standing Committee on the Parliamentary Library
Message no. 10, dated 29 September 2010—Joint Standing Committee on Trea-
ties
Message no. 11, dated 30 September 2010—Joint Select Committee on Gam-
bling Reform,
and transmitting for the concurrence of the Senate the following resolutions:

**Joint Select Committee on Cyber-Safety**

(1) (a) That a Joint Select Committee on Cyber Safety be appointed to inquire into and report on:

(i) the online environment in which Australian children currently engage, including key physical points of access (schools, libraries, internet cafes, homes, mobiles) and stakeholders controlling or able to influence that engagement (governments, parents, teachers, traders, internet service providers, content service providers);

(ii) the nature, prevalence, implications of and level of risk associated with cyber-safety threats, such as:

- abuse of children online (cyber-bullying, cyber-stalking and sexual grooming);
- exposure to illegal and inappropriate content;
- inappropriate social and health behaviours in an online environment (e.g. technology addiction, online promotion of anorexia, drug usage, underage drinking and smoking);
- identity theft; and
- breaches of privacy;

(iii) Australian and international responses to current cyber-safety threats (education, filtering, regulation, enforcement) their effectiveness and costs to stakeholders, including business;

(iv) opportunities for cooperation across Australian stakeholders and with international stakeholders in dealing with cyber-safety issues;

(v) examining the need to ensure that the opportunities presented by, and economic benefits of, new technologies are maximised;

(vi) ways to support schools to change their culture to reduce the incidence and harmful effects of cyber-bullying including by:

- increasing awareness of cyber-safety good practice;
- encouraging schools to work with the broader school community, especially parents, to develop consistent, whole school approaches; and
- analysing best practice approaches to training and professional development programs and resources that are available to enable school staff to effectively respond to cyber-bullying.

(vii) analysing information on achieving and continuing world’s best practice safeguards; and

(viii) the merit of establishing an Online Ombudsman to investigate, advocate and act on cyber-safety issues.

(b) Such other matters relating to cyber-safety referred by the Minister for Broadband, Communications and the Digital Economy or either House.

(2) That the committee consist of 12 members, 4 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips and 1 by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, and 2 Sena-
tors to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(4) That the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(10) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(11) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(12) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(13) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(14) That the committee or any subcommittee have the power to consider and make use of the evidence and records of the former Joint Select Committee on Cyber-Safety appointed during the previous parliament.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(16) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time but that it present its final report no later than 30 April 2012.

(18) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(19) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

(1) That, in accordance with sections 213 and 214 of the Law Enforcement Integrity Commissioner Act 2006, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Austra-
The Australian Commission for Law Enforcement Integrity shall be as follows:

(a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(c) That the committee elect a Government member as its chair.

(d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(l) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(n) That the committee may report from time to time.

(o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on the Australian Commission for Law Enforcement Integrity appointed during previous Parliaments.

(p) That, in carrying out its duties, the committee or any subcommittee ensure that the operational methods and results
of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.

(q) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Parliamentary Joint Committee on the Australian Crime Commission

(1) That, in accordance with section 54 of the Australian Crime Commission Act 2002, matters relating to the powers and proceedings of the Parliamentary Joint Committee on the Australian Crime Commission shall be as follows:

(a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(c) That the committee elect a Government member as its chair.

(d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(h) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(i) That 2 members of a subcommittee include a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(l) That the committee or any subcommittee may conduct proceedings in any place it sees fit.
(m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(n) That the committee may report from time to time.

(o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on the National Crime Authority and the Australian Crime Commission appointed during previous Parliaments.

(p) That, in carrying out its duties, the committee or any subcommittee, ensure that the operational methods and results of investigations of law enforcement agencies, as far as possible, be protected from disclosure where that would be against the public interest.

(q) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Parliamentary Joint Committee on Corporations and Financial Services

(1) That, in accordance with section 242 of the Australian Securities and Investments Commission Act 2001, matters relating to the powers and proceedings of the Parliamentary Joint Committee on Corporations and Financial Services shall be as follows:

(a) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Oppo-

sition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(b) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(c) That the committee elect a Government member as its chair.

(d) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(e) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(f) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(g) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(h) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(i) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative
meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(j) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(k) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(l) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(m) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(n) That the committee may report from time to time.

(o) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Corporations and Financial Services and Corporations and Securities appointed during previous Parliaments.

(p) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(2) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Electoral Matters

(1) That a Joint Standing Committee on Electoral Matters be appointed to inquire into and report on such matters relating to electoral laws and practices and their administration as may be referred to it by either House of the Parliament or a Minister.

(2) That annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:

(a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and

(b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.

(3) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(5) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.

(6) That the committee elect a Government member as its chair.

(7) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not
present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(8) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time.

(18) That the committee or any subcommittee have power to consider and make use of:

(a) submissions lodged with the Clerk of the Senate in response to public advertisements placed in accordance with the resolution of the Senate of 26 November 1981 relating to a proposed Joint Select Committee on the Electoral System; and

(b) the evidence and records of the Joint Committees on Electoral Reform and Electoral Matters appointed during previous Parliaments.

(19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Joint Standing Committee on Foreign Affairs, Defence and Trade

(1)(a) That a Joint Standing Committee on Foreign Affairs, Defence and Trade be appointed to inquire into and report on such matters relating to foreign affairs, defence and trade as may be referred to it by:

(i) either House of the Parliament;

(ii) the Minister for Foreign Affairs;

(iii) the Minister for Defence; or

(iv) the Minister for Trade.

(b) That annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
(i) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and

(ii) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.

(2) That the committee consist of 34 members, 13 Members of the House of Representatives to be nominated by the Government Whip or Whips, 9 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 5 Senators to be nominated by the Leader of the Government in the Senate, 5 Senators to be nominated by the Leader of the Opposition in the Senate and 2 Senators to be nominated by any minority group or groups or independent Senator or independent Senators.

(3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) That in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That 6 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(10) That, in addition to the members appointed pursuant to paragraph (9), the chair and deputy chair of the committee be ex officio members of each subcommittee appointed.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time.
(18) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Foreign Affairs and Defence and Foreign Affairs, Defence and Trade appointed during previous Parliaments.

(19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

**Joint Standing Committee on Migration**

(1) (a) That a Joint Standing Committee on Migration be appointed to inquire into and report on:

(i) regulations made or proposed to be made under the *Migration Act 1958*;

(ii) proposed changes to the *Migration Act 1958* and any related acts; and

(iii) such other matters relating to migration as may be referred to it by the Minister responsible for the administration of the *Migration Act 1958*.

(b) That annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:

(i) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and

(ii) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.

(2) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 3 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 1 Senator to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(3) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
(10) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(11) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(12) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(13) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(14) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(15) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(16) That the committee may report from time to time.

(17) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Migration Regulations and the Joint Standing Committees on Migration appointed during previous Parliaments.

(18) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(19) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

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Joint Standing Committee on the National Capital and External Territories

(1) That a Joint Standing Committee on the National Capital and External Territories be appointed to inquire into and report on:

(a) matters coming within the terms of section 5 of the Parliament Act 1974 as may be referred to it by:
   (i) either House of the Parliament; or
   (ii) the Minister responsible for administering the Parliament Act 1974; or
   (iii) the President of the Senate and the Speaker of the House of Representatives;

(b) such other matters relating to the parliamentary zone as may be referred to it by the President of the Senate and the Speaker of the House of Representatives;

(c) such amendments to the National Capital Plan as are referred to it by a Minister responsible for administering the Australian Capital Territory (Planning and Land Management) Act 1988;

(d) such other matters relating to the National Capital as may be referred to it by:
   (i) either House of the Parliament; or
   (ii) the Minister responsible for administering the Australian Capital Territory (Self-Government) Act 1988; and

(e) such matters relating to Australia's territories as may be referred to it by:
   (i) either House of the Parliament; or
   (ii) the Minister responsible for the administration of the Territory of Cocos (Keeling) Islands; the Territory of Christmas Island; the Coral Sea Islands Territory; the Territory of Ashmore and Cartier Islands; the Australian Antarctic Territory, and the Territory of Heard Island and McDonald Islands, and of Commonwealth responsibilities on Norfolk Island.
(2) That annual reports of government departments and authorities tabled in the House shall stand referred to the committee for any inquiry the committee may wish to make. Reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:

(a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and

(b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that Department or authority is presented to the House.

(3) That the committee consist of 12 members, the Deputy Speaker, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, the Deputy President and Chairman of Committees, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(5) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.

(6) That the committee elect a Government member as its chair.

(7) That the committee elect a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(8) That, in the event of an equally divided vote, the chair or the deputy chair when acting as chair, have a casting vote.

(9) That 3 members of the committee (of whom one is the Deputy President or the Deputy Speaker when matters affecting the parliamentary zone are under consideration) constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.
(16) That a subcommittee have power to ad-
journ from time to time and to sit during
any adjournment of the Senate and the
House of Representatives.

(17) That the committee may report from time
to time.

(18) That the committee or any subcommittee
have power to consider and make use of
the evidence and records of the Joint
Standing Committees on the National
Capital and External Territories, the Joint
Committees on the Australian Capital Ter-
ritory, the Joint Standing Committees on
the New Parliament House, the Joint
Standing Committee on the Parliamentary
Zone and the Joint Committee on the Na-
tional Capital appointed during previous
Parliaments and of the House of Repre-
sentatives and Senate Standing Commit-
tees on Transport, Communications and
Infrastructure when sitting as a joint
committee on matters relating to the Aus-
ter Capital Territory.

(19) That the provisions of this resolution, so
far as they are inconsistent with the stand-
ing orders, have effect notwithstanding
anything contained in the standing orders.

(20) That a message be sent to the Senate ac-
quainting it of this resolution and request-
ing that it concur and take action accord-
ingly.

**Joint Standing Committee on the Parlia-
mentary Library**

(1) That a Joint Standing Committee on the
Parliamentary Library be appointed to:

(a) consider and report to the President of
the Senate and the Speaker of the
House of Representatives on any mat-
ters relating to the Parliamentary Li-
brary referred to it by the President or
the Speaker;

(b) provide advice to the President and the
Speaker on matters relating to the Par-
liamentary Library;

(c) provide advice to the President and the
Speaker on an annual resource agree-
ment between the Parliamentary Li-

brarian and the Secretary of the De-
partment of Parliamentary Services;

(d) receive advice and reports, including an
annual report, directly from the Parlia-
mentary Librarian on matters relating
to the Parliamentary Library.

(2) That the Committee consist of 13 mem-
ers, 4 Members of the House of Repre-
sentatives nominated by the Government
whip or whips, 3 Members of the House of
Representatives nominated by the Op-
position whip or whips or by any non-
aligned Member, 3 Senators nominated by
the Leader of the Government in the Sen-
ate, 2 Senators nominated by the Leader
of the Opposition in the Senate and 1
Senator nominated by minority groups or
independent Senators.

(3) That every nomination of a member of the
committee be notified in writing to the
President and the Speaker.

(4) That the nomination by the minority
groups and independent Senators shall be
determined by agreement between them,
and, in the absence of agreement duly no-
tified to the President, any question of the
representation on the committee shall be
determined by the Senate.

(5) That the members of the committee hold
office as a joint standing committee until
the House of Representatives is dissolved
or expires by effluxion of time.

(6) That the committee shall elect 2 of its
members to be joint chairs, 1 being a
Senator or Member, on an alternating ba-
sis each Parliament, who is a member of
the government parties and 1 being a
Senator or Member, on an alternating ba-
sis each Parliament, who is a member of
the non-government parties, provided that
the joint chairs may not be members of the
same House. The joint chair nominated by
the government parties shall chair meet-
ings of the committee, and the joint chair
ominated by the non-government parties
shall take the chair whenever the other
joint chair is not present.
(7) That each of the joint chairs shall have a deliberative vote only, regardless of who is chairing the meeting.

(8) That when votes on a question before the committee are equally divided, the question shall be resolved in the negative.

(9) That three members of the committee shall constitute a quorum of the committee, but in a deliberative meeting a quorum shall include 1 member of each House of the government parties and 1 member of either House of the non-government parties.

(10) That the committee may appoint subcommittees, consisting of 3 or more of its members, and refer to any such subcommittee any of the matters which the committee is empowered to consider.

(11) That the quorum of a subcommittee shall be 2 members.

(12) That the committee shall appoint the chair of each subcommittee, who shall have a deliberative vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee, but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee and any subcommittee shall have power to meet in private or public session and to report from time to time.

(15) That the President and the Speaker may attend any meeting of the committee or a subcommittee as they see fit, but shall not be members of the committee or subcommittee and may not vote, move any motion or be counted for the purpose of a quorum.

(16) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committee on the Parliamentary Library appointed during previous Parliaments.

(17) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(18) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

**Joint Standing Committee on Treaties**

(1) That a Joint Standing Committee on Treaties be appointed to inquire into and report on:

(a) matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements presented or deemed to be presented to the Parliament;

(b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:

(i) either House of the Parliament, or

(ii) a Minister; and

(c) such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.

(2) That the committee consist of 16 members, 6 Members of the House of Representatives to be nominated by the Government Whip or Whips, 3 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any non-aligned Member, 3 Senators to be nominated by the Leader of the Government in the Senate, 3 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(3) That every nomination of a member of the committee be notified in writing to the
President of the Senate and the Speaker of the House of Representatives.

(4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.

(5) That the committee elect a Government member as its chair.

(6) That the committee elect a non-Government member as its deputy chair to act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(7) That in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(8) That 3 members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(9) That the committee have power to appoint not more than 3 subcommittees each consisting of 3 or more of its members, and to refer to any subcommittee any matter which the committee is empowered to examine.

(10) That, in addition to the members appointed pursuant to paragraph (9), the chair and deputy chair of the committee be ex officio members of each subcommittee appointed.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only, and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(16) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time.

(18) That the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Standing Committees on Treaties appointed during previous Parliaments.

(19) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

(20) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

**Joint Select Committee on Gambling Reform**

(1) That a Joint Select Committee on Gambling Reform be appointed to:

(a) Inquire into and report on:

i The Productivity Commission report on gambling, released in June 2010, including a national response to the full set of its recommendations;

ii The design and implementation of a best practice full pre-commitment
scheme – that is uniform across all States and Territories and machines - consistent with the recommendations and findings of the Productivity Commission;

iii Legal advice commissioned and received by the Commonwealth by 1 February 2011 regarding the Commonwealth’s constitutional competence and prospects for successfully legislating in this area, including the reasoning supporting the legal advice and financial and other consequences flowing from it;

iv Any gambling-related legislation that has been tabled in either House, either as a first reading or exposure draft;

v Appropriate terms of reference, to be set by no later than 30 June 2013, of a further Productivity Commission inquiry to examine the impact of pre-commitment schemes on problem gambling and to determine what further harm minimisation measures may be necessary.

vi Monitoring the impact of reforms to address problem gambling; and

vii Such other matters relating to gambling referred by either House.

(b) Make recommendations to the Minister for Families, Housing, Community Services and Indigenous Affairs and the Assistant Treasurer, to inform any position that the Commonwealth will take to the COAG Select Council on Gambling Reform.

(2) That the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip or Whips, 2 Members of the House of Representatives to be nominated by the Opposition Whip or Whips, and one non-aligned Member, 2 Senators to be nominated by the Leader of the Government in the Senate, one Senator to be nominated by the Leader of the Opposition in the Senate, and one Senator to be nominated by any minority group or groups or independent Senator or independent Senators.

(3) That participating members may be appointed to the committee. Participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of a member of the committee, but may not vote on any questions before the committee.

(4) That every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives.

(5) That the members of the committee hold office as a joint select committee until the House of Representatives is dissolved or expires by effluxion of time.

(6) That the committee elect a non-aligned member as its chair.

(7) That the committee elect a member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(8) That, in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That 3 members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(11) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a
meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(12) That 2 members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include 1 Government member of either House and 1 non-Government member of either House.

(13) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

(14) That the committee or any subcommittee have power to call for witnesses to attend and for documents to be produced.

(15) That the committee or any subcommittee may conduct proceedings at any place it sees fit.

(16) That the committee or any subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.

(17) That the committee may report from time to time but that it present its final report no later than 30 June 2013.

(18) That the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations) (10.36 am)—by leave—I move:

That the Senate concurs with the resolutions of the House of Representatives contained in messages Nos 1 to 11 relating to the appointment of joint committees.

Question agreed to.

**GOVERNOR-GENERAL’S SPEECH**

**Address-in-Reply**

Debate resumed from 29 September, on motion by **Senator Pratt**:

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

*To Her Excellency the Governor-General*

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

upon which **Senator Abetz** moved by way of amendment:

“, but the Senate:

(a) regrets that the Gillard Government has already broken its promises to the Australian people by, among other things:

(i) announcing a carbon tax, contrary to the Prime Minister’s express assurances both during the election campaign and immediately afterward that there would be no carbon tax,

(ii) instead of seeking a consensus on measures to deal with climate change, instituting a committee, the conclusions of which are predetermined,

(iii) failing to announce any measures to deal with the influx of asylum seekers arriving by sea,

(iv) failing to provide for a dedicated Minister for Education,

(v) failing to provide for a dedicated Minister for Disability Services,

(vi) failing to clarify its position on the private health insurance rebate,

(vii) failing to announce economically responsible measures to deal with housing affordability, and

(viii) announcing to the Australian people that the Government would not be bound by the promises it made to voters during the election campaign; and
(b) further notes that the Government has outlined no credible plan to:

(i) bring the budget into surplus,
(ii) cut waste,
(iii) pay off the debt,
(iv) stop the boats, and
(v) stop new taxes, such as the mining tax”.

Senator POLLEY (Tasmania) (10.37 am)—I rise to continue my remarks on the address-in-reply and, in doing so, I also put on the record my congratulations to Ms Julie Collins, the re-elected member for Franklin, on her elevation to parliamentary secretary. I would also like to take the opportunity to congratulate Senator Sherry on his ministerial appointment.

I want to speak today about the importance of the National Broadband Network and what it means to my home state of Tasmania. When the rollout was commenced in Tasmania as the pilot for this innovation, it was well received by the Tasmanian community. That was quite clear both during the election campaign and in the lead-up to it. It was one of the outstanding things that happened in Tasmania, particularly for the town of Scottsdale in the north-east of Tasmania, which has suffered from downturns in manufacturing and in the vegetable industry and has had to regroup. Scottsdale is a very strong community and so to be one of the pilots for this innovation was very well received within the community. People within the business community, people in health and people in tourism can all see the benefits that this will bring not only to the Tasmanian community but also to the Australian economy.

We have seen that those opposite have failed to have the vision for what can be achieved with this enormous investment in infrastructure. It will mean that those who live in rural and regional areas around the country will be brought into the same situation as those who live in our large cities who have access to much faster broadband. One of the challenges that rural and regional Australia face is being able to attract specialists. The NBN would open up a whole new world in terms of being able to provide first-class health care for all Australians.

Without this enabling technology, our standard of living in terms of education, health, economy and our way of life would not be the same. There is a simple choice to be made. I am not saying that the mining industry is not important, but an economy needs to be broad, rounded, advanced and creative. Does Australia wish to maintain and improve its standard of living, its healthcare system, its education system and its economy—which are comparable with many other countries in the world—or do we want to become another poor, impoverished third-world country relying on the export of non-renewable resources? That is the outcome that Australia will face if we do not implement this program. This is not alarmist; this is the reality. Why is the coalition unable to see this? Why are they being so timid? With their attitude, the overland telegraph would not have been completed in 1872. In fact, it would probably not even have been started. The attitude that what we have already is good enough was not part of Australia’s pioneering spirit and it should not be part of today’s vision.

The list of benefits of the NBN is limited only by a closed mind. This is the single largest investment in infrastructure made by an Australian government. It will be a key nation-building project, it will have a huge economic effect both directly with its construction and in the long term. It will literally transform our health and education systems, it will improve energy efficiency and it will connect our big cities and regional centres. The NBN has enormous support from within
the community and from within our health, education and business sectors.

I would also like to talk about the issues of upload and download capacity and the potential it creates, security of information and the benefits that will accrue with Telstra’s involvement. Before I speak on these issues, I would like to make a few general observations. Andrew Conner, from Digital Tasmania has said that scrapping of the NBN at this stage would be a backward move. He said:

They’re calling it risky and reckless— that is, the opposition— … fibre technology has been used for 30 years in telecommunications and now it’s ready for the home … And as for reckless, the Telco sector and competition has just failed over the last 20 years in Australia and that is why the government needs to be put out this new infrastructure, that’s to get all customers up to the same level of service, not the patchwork of services we’ve got at the moment across the country.

I would also like to quote Darren Alexander, who is President of TASICT. He said:

… a once-in-a-lifetime opportunity for Tasmania to be at the forefront of the new digital economy in Australia. This in itself has a myriad of opportunities for business and especially SMEs, which is over 96 per cent of Tasmania.

The vice-chairman of the UN broadband commission for digital development complimented Australia on its vision and ambition, saying that broadband infrastructure is critical for economic growth and competitiveness and that it would ensure efficient delivery of education, health and trade and business services. Isn’t this something that all Australians should be able to expect? I say yes; and the NBN is a vehicle for us to go forward.

Talking about upload and download speeds, there are three questions that need to be asked and answered: who would want to upload videos; and who would benefit? In the media they are talking about downloading big files—for example, in schools for lectures, or in hospitals for remote diagnosis of patients’ conditions. The other side of the coin is the ability to upload big files—in particular, video files. Did you know that 12 hours of video is uploaded to YouTube every minute, mostly in North America?

Google Maps is a concept developed not in New York or in Silicon Valley but in Australia. Mr Rasmussen, who cofounded Google Maps, said:

The Web means that it doesn’t matter where you are. … you can live here in Australia and build products for the world …

According to Tony Barnett, the director of rural health at the University of Tasmania, e-health services could revolutionise healthcare provision in Tasmania’s rural areas. He said:

The federal government has done a terrific job and Tasmania has been fortunate to be in the forefront in terms of trials.

A pharmacist in Scottsdale—as I said, one of the pilot towns, one of the three initial centres in Tasmania that have come online with the NBN—said on the ABC:

This will make our business so much more efficient—enhance our professional development abilities, improve our education services to our customers—but with these upload and download speeds it is difficult to imagine the huge changes that will occur in five or 10 years time.

That is someone in the field who recognises the importance of upload and download speeds.

Google rates websites so that the websites that are viewed for the longest time and most frequently are at the top of the ratings. Online videos on a website positively influence both those considerations. We know that the average internet user watches 263 hours of videos per year over the internet, the
equivalent of about six working weeks. Given that more than half the tourist operators in Tasmania are not online, imagine the benefits to this important Tasmanian industry. Regular uploading and downloading of video material is just not possible for many businesses in Tasmania. If videos were added to a website and users stayed on to watch the video, the website would move up in the Google search results, becoming more accessible and improving business opportunities.

The food and wine industries could be transformed. Videos showing Tasmanian food and wine being used to prepare meals could be readily available around the world. Regular updating would create new and repeat business. Competition for these products is worldwide, not only in our backyard. Farmers, who operate another important industry for Tasmania, would benefit by being able to electronically track livestock and/or monitor their crops.

*Made in Tasmania* is a book written exclusively to promote handmade products in Tasmania, products that can be shipped internationally. Entrepreneurs create jobs. A seed business may have videos about germinating seeds and other gardening tips. The prospects for internet based businesses are endless. A shoemaker could show how she makes her shoes. People looking for handmade goods are often patrons of the arts and want to know more about the artists and see them at work, even if they cannot be there. This is creating new and repeat business.

I have barely touched on the education and health benefits. Hospital networks are introducing their own systems to facilitate distant consultation, examination and diagnosis. Living in a remote or rural location does not need to equate to having poor access to essential services. These services should be available to all Australians. For instance, interactive health promotion programs can be available to everyone. We have been told just this week in a review commissioned by Catholic Health Australia:

We’ve provided evidence in this report that completing school better predicts if you are likely to die of cardiovascular disease, than cholesterol levels, blood pressure, and smoking combined.

The study found that those in the lowest socioeconomic group die three years earlier than the rest of the nation. The ways that the NBN can assist to resolve these issues are numerous.

One of my staff members has done a lot of voluntary work in South America. One of the surprises of his travel was how available and quick the internet was there, certainly as good as in Launceston, where I am based. We are talking about poor countries where between 20 per cent and 80 per cent of the population live below the UN poverty line—that is, on less than US$2 a day. Despite that, these countries have been recognising the enabling potential of this technology. And we are sitting here debating whether we need it or not.

The NBN will be used for entertainment. So what? The fact that every individual use may not have the same beneficial outcomes is not a reason to deny all the other benefits. If we talk about security, wireless systems are inherently less secure than wired systems. This does not mean that your household wi-fi will necessarily be broken into. I am talking about wi-fi used by the public at airports, restaurants and hotels, the wi-fi systems currently in use for regional Tasmania and proposed by the opposition in lieu of the NBN. Public wi-fi systems are inherently less secure than wired systems. Why would the opposition advocate a system with inherent insecurity?

The agreement between the NBN Co. and Telstra further enhances the viability of the project. There are huge benefits. The use of
the Telstra infrastructure will eliminate the possibility of duplication of infrastructure, with significantly less disruptive trenching and laying of conduits. The progressive migration of customers from Telstra copper and pay TV cable networks to the new wholesale-only fibre network to be built and operated by the NBN Co. will be an orderly transition for Telstra customers. There will be significant benefits to taxpayers: savings and faster construction and take-up rates.

In the long-term, full structural separation will be achieved when Telstra migrates its customers to the wholesale-only NBN and decommissions its copper network. In the future, Telstra and other retail services will have access to a single, wholesale-only network offering access on open and equivalent terms as enshrined in the legislation and overseen by the ACCC. The NBN will create and maintain thousands of jobs as well as creating opportunities for local contractors. As the ACTU Secretary, Jeff Lawrence, said: This deal ... is a major step forward. It means everyone working in our communications industry and particularly Telstra employees can have greater confidence and job security.

These benefits are real. The cost of not bringing the NBN to Australia will be missed opportunities for creative talent, existing businesses and new businesses to upload their video files without constraints; improvements in health and education; and all of us to operate in a more secure internet system. Moreover, since this is a methodical process, planning cooperation with existing telecommunications providers will save money where possible and put a force of skilled workers on the job.

Maybe those opposite should open their minds and listen for a while so that they can understand more about the endless list of benefits of the NBN. They might then concur that the benefits for decades to come will outweigh the costs and keep our economy vibrant and growing in ways that we currently see and in ways that we cannot even imagine. Maybe in this one instance those opposite should join with the government and support us in a constructive way to bring in the NBN so that the Australian community and the internet can be brought into the 21st century.

I could go on about the other problems that, as I said at the outset of this speech, this government is tackling, including homelessness. Then there are the improvements in aged care and the huge investment in infrastructure. I very proudly indeed mention the Building the Education Revolution and the very positive effects that that had on not only the schools but the communities in my home state. It did not matter whether you went to a private school, a Catholic school or a public school. I can assure those within the chamber and those reading Hansard in the future that in Tasmania—and I speak from some experience, as I visited a large number of schools both during the building of the projects and at their openings—we got extremely good value for the money that was injected. And that money was decades and decades overdue.

I commend the Gillard Labor government and its ambitious programs for the next three years. I am very proud to have been returned to the Senate to work with my colleagues. I would also like to put on the public record my thanks to all candidates from all political parties and to Independents who put their hands up to run in our great democracy. I also put on the record my personal thanks to those in Tasmania who supported me and my family. I look forward to working in this chamber both with those on the crossbenches and with the opposition to bring about a much stronger and more vibrant Australian community.
Senator CAROL BROWN (Tasmania) (10.54 am)—It gives me great pleasure to rise today to make my contribution to the address-in-reply to Her Excellency the Governor-General’s speech given at the opening of the 43rd Parliament. The opening of the 43rd Parliament signals a new era in Australian politics. On 21 August 2010, the Australian people delivered a hung parliament, a result we have not seen in 70 years. Indeed, the opening of the 43rd Parliament, whilst being historic because of the makeup of the new parliament, was also historic for a number of other reasons. For the first time in Australia’s history, the opening of the parliament was conducted by the first female Governor-General in our country’s history. And, as Her Excellency Quentin Bryce made mention of on Tuesday, it was also a historic opening of parliament because Australia’s first female Governor-General opened the parliament led by Australia’s first female Prime Minister. It was particularly pleasing to note that on this occasion we not only had a female Governor-General and a female Prime Minister but a female Clerk of the Senate—a fine sight indeed.

As we entered this new era of minority government we also had a number of other historic events occurring at the opening of the 43rd Parliament. We have the first Indigenous member of the other place, with Mr Ken Wyatt elected to the seat of Hasluck. We also have the first person of Muslim faith elected to parliament, with Mr Ed Husic being sworn in as the member for Chifley. We also have Mr Wyatt Roy, who—in being elected as the member for Longman—is the youngest person ever elected to the Australian parliament. Every time these historic firsts occur, we see our parliament become more inclusive, more representative and more reflective of our society.

In August, when the Australian people delivered a hung parliament, it presented us with an opportunity for this new parliament, the 43rd Parliament, to be built upon an effort of renewed cooperation. The Australian people have made their wishes clear; they have exercised their democratic right. It is now our job to make this parliament work. It is now the responsibility of every member in this place and the other place to ensure we deliver stable and effective government for the people of Australia.

As the Governor-General outlined, the government will quickly implement new measures to enhance the dignity and effectiveness of this legislature, including a more effective question time, a stronger committee system and greater scope for private members’ bills. The government will also deliver the creation of the Parliamentary Budget Office and the new Parliamentary Integrity Commissioner, as well as other better government improvements, including open and accountable government improvements, further steps on improving the democratic operation of the parliament, electoral funding improvements and truth in political advertising improvements. It will also deliver many other changes to the way business is conducted in the other place. It is hoped that these parliamentary reforms will help to increase the robust nature of our parliament, not just during this term but also as we move into the future—although it is disappointing that those opposite have already walked away from one aspect of the reform agreement by refusing to pair the Speaker.

I am pleased that Ms Gillard was able to reach an agreement to receive support from the Independents so that she would be able to continue in her capacity as the Prime Minister of Australia and so that the Australian Labor Party would continue to govern the country.

Shortly after coming to office, we faced the greatest economic downtown in 70 years.
The Labor government acted quickly by implementing a range of short-, medium- and long-term stimulus measures to cushion the Australian economy from the worst effects of the global recession. At a time when the economies of many G20 countries were suffering from the global financial crisis, the Australian economy, under the support of our stimulus measures, was performing remarkably well in comparison. Our stimulus measures provided short-term investment to immediately support our economy. We also made significant investment in infrastructure as part of our stimulus package to deliver a longer term effect on the Australian economy as well as to provide a boost to vital infrastructure and to increase productivity.

The success of these measures can be seen through the relatively low impact the global financial crisis had on our economy. Our unemployment remained at relatively low levels and our economy was one of the very few advanced economies not to fall into recession. We have managed to keep unemployment below six per cent, and recently we saw some more encouraging news with the unemployment rate dipping to 5.1 per cent. These figures showed that over 53,000 full-time jobs were created in August. In fact, as the Treasurer highlighted, of the 349,000 jobs created in the last 12 months, over three quarters have been full-time positions. The Treasurer recently also made mention of the fact that we have created over 560,000 jobs since coming to office in November 2007. As we move forward into our second term the government has maintained our fiscally responsible spending caps in upcoming budgets and also made significant savings measures to ensure that we return the budget to surplus in 2012-13, three years ahead of schedule.

The government will also look to increase productivity and deliver growth to the Australian economy through a number of other significant economic reforms. During this term we also plan to advance our minerals resource rent tax into legislation by undertaking close consultations with the industry and members of the parliament. We will also hold a tax summit by the middle of next year to re-examine the Henry tax review and wider tax reform.

In this term of government we will begin to implement our commitment to increase the rate of superannuation guarantee from nine per cent to 12 per cent. This will give workers access to greater levels of savings when they choose to retire, providing them with greater financial security whilst also reducing the pressure placed on the government’s age pension.

To help drive Australia’s economy in the future the government has begun to deliver Australia’s largest ever infrastructure project—the $43 billion National Broadband Network, which will connect over 90 per cent of Australian homes and businesses to broadband speeds of up to one gigabyte per second. As we have already announced, the remaining premises will be connected via state-of-the-art wireless and satellite technologies. For too long Australia has lagged behind the world in terms of broadband penetration and speeds. We cannot continue to operate like this. That is why we are building the National Broadband Network. The NBN will offer opportunities for Australian businesses to capitalise on the digital revolution to help drive productivity and increase growth. The NBN will also become vitally important in the progression of e-health and the delivery of new-age digital education.

Already in my home state of Tasmania we have begun rolling out the NBN. The most recent announcement of the NBN rollout was stage 3. This is a $100 million investment in Tasmania which will connect 90,000 premises in Hobart, Launceston, Devonport and
Burnie. This is on top of the already announced stage 1 and 2 rollouts in Tasmania, where the residents of Smithton, Scottsdale, Midway Point, Sorell, Deloraine, George Town, St Helens, Triabunna, Kingston Beach and South Hobart will be the first in the state to benefit from increased broadband speeds of the fibre-to-premises rollout. Indeed, services have already been delivered in a number of these towns, and the Prime Minister and the Minister for Broadband, Communications and the Digital Economy visited Tasmania to switch on the first customer to the NBN.

The NBN is receiving strong support from a range of organisations, including the Tourism Industry Council Tasmania, the Tasmanian Farmers and Graziers Association, the Tasmanian Chamber of Commerce and Industry and the Tasmanian Small Business Council, who see the benefits of the National Broadband Network in Tasmania. I look forward to the continued rollout of the NBN, not only in Tasmania but also around the rest of the country, as it will support 25,000 jobs over its eight-year construction life.

Our nation-building agenda does not stop with the NBN. We have set about implementing the largest school modernisation program in our country’s history—the Building the Education Revolution program—which will provide our children with the best environment in which to learn, and will support local jobs and local communities. The BER program has delivered the refurbishment of school classrooms and school grounds as well as the construction of new school halls, libraries, science laboratories and classrooms. In fact, the BER program is a $15 billion program delivering 24,000 projects in 9,500 schools around Australia.

We have initiated the process of establishing a national curriculum to ensure that all students are learning from the same course and achieving the best learning outcomes possible. For the first time, some 80,000 students who move interstate each year will not have to learn a new curriculum. A draft curriculum has been developed by experts and has been trialled around the country by 150 schools in the hope of implementing the new nationwide curriculum next year.

As we look to the future, with a Prime Minister who is so passionately committed to education, the Labor government still has a number of significant education reforms to implement as part of this term of government. We will look to empower local school principals and communities to make decisions on how to deliver the best quality and effectiveness at their schools. We will recognise and reward schools who improve their attendance and student performance and we will also identify and reward the very best classroom teachers through a national system of performance. The Labor government will continue to construct trade training centres, which are extremely effective and well received in local communities.

The government is also implementing a range of social policy initiatives to help parents with cost of living expenses. We have delivered three lots of income tax cuts targeted at low- and middle-income earners. The childcare rebate has been increased by the Labor government from 30 per cent to 50 per cent. Also, the government’s Paid Parental Leave scheme—a reform measure close to my heart—will commence on the 1 January 2011. This is a historic scheme which indeed has been a long time coming. This scheme is a big win for women and men on low incomes because for the first time eligible women will receive 18 weeks of paid parental leave at the federal minimum wage. Around 30,000 working families on incomes of less than $50,000 are expected to benefit from our Paid Parental Leave scheme.
During the election campaign, we had some more pleasing news in relation to this policy, with the Prime Minister announcing that, from 1 July 2012, eligible fathers will receive a fortnight’s paternity leave at the federal minimum wage. This will give many dads who would normally not get the opportunity for paid leave, the chance to spend quality time with their new born child. We have waited too long for this scheme and I am pleased that a Labor government has implemented this important reform.

Also announced as part of our election commitments, the government will extend the education tax refund to cover the cost of school uniforms. And, finally, we will increase family support payments by up to $4,000 a year for teenagers who are in enrolled in school or vocational training.

The Australian government has taken a leading role in the campaign to reduce violence against women. We established a National Council to Reduce Violence Against Women and their Children. The council’s task was to provide advice on the development of an evidence based national plan. In April 2009 the council formally presented the government with five documents and in response the government has delivered a number of funding initiatives to support the prevention of violence against women. The government also actively marked the annual White Ribbon Day—the International Day for the Elimination of Violence Against Women each November.

As part of the government’s 10-year national disability strategy we have asked the Productivity Commission to examine a range of options and consider whether a no-fault social insurance approach to disability is appropriate for Australia. The Productivity Commission inquiry is an important opportunity for us to examine how we support people with a disability and their families and carers.

Also, this term will see the government roll out its historic health and hospital reform package. The package agreed upon with the states, except WA, earlier this year will deliver some of the most significant changes to the Australian health system since the introduction of Medicare.

As part of our health reforms we will end the blame game between the states and the Commonwealth by establishing a single unified National Health and Hospitals Network. This will deliver better health services and better hospitals for all Australians. Whilst the Commonwealth government will take a majority funding responsibility for public hospitals, hospitals will be run locally and will have to meet national standards whilst also publishing accurate local performance reports.

The historic new reforms will deliver more doctors and nurses, expand the GP superclinic rollout, deliver more subacute hospital beds, cap emergency department waiting times and provide GP after-hours hotlines so people can receive health advice on weekends or late at night. We will increase elective surgery places to ensure that more elective surgery procedures are delivered on time. We will deliver an increase in aged-care places.

As agreed upon at COAG, we will implement Australia’s largest ever preventative health strategy and implement an e-health record system to make it easier for doctors to track a patient’s medical history so they can provide the very best possible medical care. We will also be instigating a mental health package to tackle the increased rates of suicide in society.

We have asked the Productivity Commission to investigate and develop options for how the aged-care sector might be reformed
to meet the needs of the population. The commission is due to release its draft report in December 2010 and to present its final report to government in April 2011. The Prime Minister has nominated aged care as a priority for reform in the second term of the Gillard government. As someone who has a strong interest in this area, I look forward to working with the Prime Minister and the new Minister for Ageing, Mr Mark Butler, on this after the government receives the Productivity Commission’s report and the consultations that will flow from that report. If the government and all members of the sector do not grab this chance for reform in the aged-care sector, then it could be years before we get another opportunity. The government sees the delivery of the Productivity Commission report as the beginning of serious reform effort.

The government is also intent on developing a more inclusive society as part of our next term agenda. Around five per cent of working-age citizens experience multiple forms of disadvantage. Our second term in government will focus on ensuring that as the economy grows we will overcome entrenched disadvantage so that fewer people are left behind.

The Labor Party has always accepted the science that climate change is real and that action needs to be taken to reduce greenhouse gas emissions. We have introduced a range of measures focussed on renewable energy and measures to tackle climate change, including the expansion of the renewable energy target by four times, to 20 per cent. This means the equivalent of all household electricity will come from clean, renewable sources like wind and solar.

We have made a significant investment in renewable energy technology—the largest ever investment in renewable energy—and we will see the development of wind, solar, geothermal and other clean energy sources. This will help to ensure that Australia invests in the industries of the future, like renewable energy, and in jobs using new technologies, creating new areas of investment and the market for new low-pollution jobs. We have invested in clean coal to develop world-leading carbon capture and storage technology. We have also committed support for energy efficiency measures to help households and businesses cut their energy bills and reduce their emissions.

We have announced the formation of the new Climate Change Committee. The Climate Change Committee will be chaired by the Prime Minister. Other members will include the Deputy Prime Minister, Mr Wayne Swan; the Minister for Climate Change, Mr Greg Combet, who will serve as deputy chair of the committee; Australian Greens leader, Senator Bob Brown; and Australian Greens deputy leader, Senator Christine Milne, who will serve as co-deputy chair. I understand that Mr Tony Windsor is keen to join the committee and the government has invited the coalition to provide two representatives for the committee. The committee will also be made up of four independent experts—Professor Ross Garnaut, Professor Will Steffen, Mr Rod Sims and Ms Patricia Faulkner—as well as receiving support from a secretaries’ group, comprising the secretaries of departments involved in implementing climate change policy. I look forward to all members of the Climate Change Committee working constructively and effectively together, working out the best way to take action on climate change.

Over the previous decade under the watch of the Howard government we saw the nation’s infrastructure suffer from severe underinvestment. Upon entering office the Labor government immediately set about rectifying this situation by investing in the infrastructure Australia needs. By doing so we
began to tackle the infrastructure bottlenecks which had developed and which were significantly affecting our nation’s productivity. Under our nation-building infrastructure plan we set about upgrading the nation’s roads, rail and port infrastructure, with significant investment right around Australia. Investment in infrastructure will continue in our second term.

We will also deliver a renewed focus on regional Australia’s infrastructure needs. Already, 60 per cent of the government’s nation-building infrastructure funding has been allocated to regional Australia. We have also announced the $6 billion Regional Infrastructure Fund which will also be allocated to regional Australia, significantly increasing the funding available to regional Australia. Building upon these measures we will also have a regional priorities round, worth up to $500 million, from the Education Investment Fund, which regional universities and TAFEs will have access to.

As we move to our second term, I look forward to being a member of the Labor government, a government which has clear policy objectives to improve our country and the lives of the people who live here. It will not be easy—the new minority government paradigm presents us with a new set of tasks—but I am hopeful that in this new era of cooperative government those opposite will not become a political wrecking ball. We need to work together to deliver stable and effective government. The parliament we are faced with is the will of the people, and it is our responsibility to make it work for their benefit.

Senator NASH (New South Wales) (11.14 am)—I rise today to make some remarks in reply to the address given by Her Excellency the Governor-General. The other day when I was listening to the speech that she presented here in the chamber I had this feeling that we were heading down to some sort of nirvana land of political perfection—if you actually believed all the things that were in the speech. One of the things in this new world that we seem to have, with the ‘new paradigm’—as my colleague Senator Moore said yesterday that she was not going to mention it again, that is the one and only time I am going to use the P-word—is the government’s renewed focus, or even new focus, I would call it, on regional Australia. Interestingly, a lot of the people out there that I have been speaking to do not really believe that the government is genuine in its view of regional Australia which has suddenly come tipping to the fore. They are looking at it more as an expression of political expediency rather than as any great, long-term, genuine interest in regional Australia, and that is something I will perhaps explore a little further as we go along.

One area in which there has been a particular lack from this government is regional education. I looked through the Governor-General’s speech in quite a lot of detail, and not once did she use the phrase ‘regional students’—not once. This is from a government that has been telling the Australian people for quite some time that there was going to be an education revolution. I do not see how you can have an education revolution without having regional students as a priority. This has been borne out in some of the government’s actions, and quite a number of the things that I will raise today go to the heart of the fact that the government is not genuine in its belief in the future of regional Australia.

The government certainly do not understand regional students’ needs. You only have to look at the issue of the changes to the independent youth allowance that the government made to realise that they have no understanding whatsoever of the needs of regional students. The changes that they made
left thousands of regional students unable to access financial assistance through the independent youth allowance—and that, certainly to this side of the chamber and, I know, to many people across our regional communities, was simply appalling. What the government have done is use some lines on a map to preclude thousands of regional students from being able to access independent youth allowance. We have heard some stories about this. My very good friend and colleague Darren Chester, the member for Gippsland, raised with me the other day a situation in his electorate where there are two students living on either side of the same street: one student can access independent youth allowance; the other cannot. How fair is that? This is a matter of fairness and equity for regional students. If the government are so keen on and so concerned about having an education revolution, there has to be fairness and equity so that regional students are able to access tertiary education.

We know that around 55 per cent of metropolitan students go on to tertiary education, compared to only 33 per cent from regional areas. The evidence shows that that is due to the financial impediment for those students, who have no choice but to relocate to be able to attend a tertiary institution. That is simply appalling. That gap is too great. Now the situation has been made even worse by this Labor government, because it is taking away that avenue, taking away that option—taking away the ability of many of those regional students to access the funding they so desperately need to get a tertiary education.

The coalition have lodged in the House of Representatives a notice of motion calling on the government to reinstate the inner regional zones for eligibility for those students so that they can access independent youth allowance. It is only fair and equitable that we do that. The Prime Minister, when she was the Minister for Education, was responsible for that change. Perhaps she did not realise it was going to have the effect that it did, but she should now realise that it has had an enormous impact on these regional students and she should show leadership and move to fix it—because it is not fair on these students that their pathway should be cut so dramatically by this Labor government.

The government should rise to this challenge, admit their mistake, reverse the decision and include the inner regional areas. It is as simple as including a line in the legislation. It is not arduous. It does come with a financial cost, but that can come from the Education Investment Fund. So it is a simple and straightforward decision for the government to make, to turn around now and make sure that those students are treated fairly and equitably, if in fact they want to prove that they really are serious about making sure that regional education is sustainable.

Interestingly, the Senate Rural and Regional Affairs and Transport References Committee that I chaired held a very detailed inquiry into access to education for our regional students, both secondary and tertiary, last December. We came up with a series of recommendations that had been very thoroughly looked at right across the country. There has been not a word from the government, nothing, no response whatsoever in nine months to the recommendations that the committee, the bipartisan committee, put forward to the government. That does not say to me that this government is taking regional education very seriously at all. There has simply been no response whatsoever—not even a response we did not like; there has been nothing. There has been absolute silence from the government on the issue of the sustainability of regional education for those students. I think that is simply appalling.
One of the other areas that were raised in the Governor-General’s speech was water. Everybody in this chamber would know, or should know, that the Murray-Darling Basin plan guide is due to be released. It was due to be released in the middle of this year, but somehow or other it slipped off the agenda while we went through an election campaign—funny about that! Apparently, it had something to do with ‘caretaker mode’. However, there were a number of things that still went forward while the government was in caretaker mode, so there is a fair bit of scepticism about the fact that the plan did not come out when it was supposed to.

What we have now—and you will love this, colleagues—is that the plan is due to be released at four o’clock next Friday afternoon, in the middle of the school holidays and in the middle of the Commonwealth Games. If that is not a sign that the government is trying to bury the report, I do not know what is. I know that interested groups in the sector have written to the Murray-Darling Basin Authority pointing out the inappropriateness of having a release date of four o’clock next Friday afternoon. One would hope that perhaps it was an oversight. Perhaps I am being a little bit too harsh. Perhaps it was an oversight on behalf of the authority and they will move to release it on a far more appropriate date.

The government has absolutely no idea about the impact of removing water permanently from our regional communities. There has been precious little work done by this government on those socioeconomic impacts. That is neither fair nor appropriate for those people who live in those communities and, indeed, people right across Australia, who benefit from the production capacity of those regions. But, yet, the government has still, willy-nilly, gone down this course without having the appropriate work done. Fortunately, some groups have done some work on this and it really should alert the government to how important it is that we understand the impact that this removal of water is going to have. I simply do not believe that this government does understand that.

There was a report done recently by the Cotton Catchment Communities CRC looking at how the removal of water entitlements in the basin is going to affect basin communities. It was based on eight case studies across New South Wales and it found that a 10 per cent cut in water equates to 6,000 lost jobs, a 25 per cent cut in water equates to 14,000 lost jobs and a 50 per cent cut in water equates to 28,000 lost jobs. These are the types of scenarios that we are going to have to realise are going to occur if the government does not take steps, put measures in place and take the right decisions to ensure that these communities are not belted around the head like these figures show they are going to be. I was encouraged the other day to hear Minister Tony Burke point out that it actually is an issue, that we do have to look at what those social and economic impacts are going to be—talk about a long way down the track for somebody in the government to raise that as an issue, because this is the key issue. This is absolutely the key issue.

One of the things that are of great concern is the fact that the government ministers—previously we had Minister Wong; now we have Minister Burke—are seemingly abrogating their responsibility for the decisions that are going to be made about how this plan is going to work. That is not appropriate. It is not right for those ministers to abrogate their responsibility. The Australian people should be well aware that this is what they are doing. We heard Minister Wong, when she was in the role, saying that she would accept the Murray-Darling Basin Authority’s plan. We have subsequently heard from Minister Burke that he is also going to accept the plan from the authority. I will just
take the chamber back to the act itself, the Water Act 2007, which states:

(3) Within 30 days after the Authority gives the Minister a version of the Basin Plan under subsection (2), the Minister:

(a) must consider that version of the Basin Plan and the views given to the Minister under subsection (2); and

(b) must either:

(i) adopt, in writing, that version of the Basin Plan; or

(ii) direct the Authority, in writing, to make modifications to that version of the Basin Plan and give it to the Minister for adoption.

The minister has the power here to look at that basin plan and determine whether or not it is appropriate. I think it is entirely wrong to make that decision even before the plan is public. Apparently the ministers have not seen the plan. Maybe they have—who knows? Maybe that is why they are abrogating their responsibility now. One would hope that if they had seen it they would have let the Australian people see it at the same time. But for the ministers to say they are simply going to accept what we will assume at this stage is a sight unseen plan is absolutely abrogating their responsibility to the Australian people. The Australian people, particularly in those regional communities, should be horrified that a minister is going to accept, sight unseen, a plan that is probably going to be one of the key things that has happened in this country for decades. It is going to affect not only those water users and not only those irrigators but whole communities. Remember, irrigators tend to get a pretty hard time out of this. So many of those irrigators live in communities that were put there by government policy. And now government policy is potentially going to tell them, ‘Sorry, we are just going to take your livelihood away.’

Around all that, for the minister to say, ‘Hands off. I’ll leave it up to the authority; I’m not going to have a view on this,’ is absolutely appalling to me. I hope that the Labor Party has not tied the hands of Minister Burke and I hope that he will reverse his decision. Again, maybe I was taking him out of context; I will give him the benefit of the doubt. But I hope he will reverse his decision to accept this plan, sight unseen, after doing absolutely nothing to properly evaluate this plan and without the proper social and economic work being done around it.

The government talk about their support for regional Australia. Let me just run through a few of the things the government have done with regard to regional Australia since they came into government which, to me, have absolutely been in contrast to this new-found professed support for regional Australia. They abolished Land and Water Australia, $12 million was cut out of the Rural Industries Research and Development Corporation, $63 million taken out of the CSIRO, $22 million was cut out of Farm Help, $42 billion was taken out of the budget from renewable remote power generation and $2 billion was taken from the Telecommunications Fund, which was specifically set up to support telecommunications delivery in regional communities. What did the government do? Snap, bang, gone! That is how much they care about regional communities, and the Australian people should be well aware that what they say about their support for regional communities is completely in contrast to what they do. They need to understand that very clearly. Do not believe the slick words. Do not believe what they say. Do not listen to what they say; look at what they do.

The one thing that really stands out amongst the myriad things being discussed at the moment is the potential carbon tax and the backflip from this government that had promised us before the election that there would not be one. Indeed, Wayne Swan said:
... what we rejected is this hysterical allegation that somehow we are moving towards a carbon tax...

The Prime Minister said:
There will be no carbon tax under the government I lead.

That went out the window, didn’t it? It absolutely disappeared. How the Australian people can believe anything this Prime Minister and this Labor government say is beyond me.

The carbon tax is going to have a huge impact on this country and on our economy, and there are two key things that the Australian people need to be very, very aware of: it is going to be a massive new tax and it is not going to make the slightest bit of difference to the climate. What do we see now? The government set up their climate change committee with all sorts of hype and hoopla and bells and whistles. What sort of a committee is it that gets set up and only lets people on it that agree to a predetermined outcome? What sort of inquiry can you have if the door is open only for people who want to walk through and sign up and say, ‘Whatever you come up with at the end, yes, I will be agreeing with that because I am on board with all of this’? How stupid is that?

What the government should be doing is just moving towards it. Why do they need the smoke and mirrors of some inquiry, some committee that is going to be set up to look at all of this, when those members who join it have to actually believe what the outcome is in the first place? That is not true representation of the people if that is what the government is trying to do, not by any stretch of the imagination. I want to quote my very good friend and colleague Senator Boswell, who said in this place yesterday:

Australians need to understand that all that the imposition of a carbon tax in Australia, ahead of action by others, will do is destroy our economy by destroying our competitiveness while having absolutely nil effect on global climate.

He is absolutely spot-on. How on earth is a massive new tax going to cool the globe? And my very good friend and colleague sitting here in front of me, Senator Joyce, said:

If taxes were going to cool the climate, this place would be freezing.

That is absolutely true. It is a nonsense. It is a furphy to try to sell to the Australian people the idea that the carbon tax is going to bring down the temperature of the globe. Even if we reduced our greenhouse gas emissions to zero, it would have nil effect on the temperature and climate. And to watch the Australian people being led down this path again by this Labor government is such a significant concern to those of us on this side of the chamber.

How can we believe anything that the government say? You only have to look at their track record and the broken promises down the path during the last period that they were in government. At least they broke those promises halfway through; now we have the Prime Minister actually telling us that she is about to break her promises. This is a whole new concept in government. She did say this about the carbon tax—and I will quote an article from the Age:

Julia Gillard has declared that climate change and some other election promises will not be kept to the letter by her minority government—and ‘people are going to have to get used to it’.

If she could not form a government that was going to be able to deliver on the promises that she made to the Australian people, then perhaps she should not have formed a government in the first place. The Australian people voted for the Prime Minister because they believed her promises. They believed that she would at least embark on the path of trying to implement what she promised, putting in place for the Australian people...
those things that she promised them. We now have a Prime Minister telling the Australian people within weeks, ‘Forget about that. Those promises—forget those—we are not going to keep them.’ The Australian people have every right to be extremely concerned, very disappointed and very, very sceptical when it comes to this Labor government and what they will deliver. (Time expired)

Senator CROSSIN (Northern Territory) (11.34 am)—It gives me great pleasure to rise in this chamber and provide my contribution to the Governor-General’s address-in-reply and to be a participant in the opening of the 43rd Parliament in this place in Canberra. There is no doubt it was a most significant event we witnessed on Tuesday, significant for a whole range of reasons. Many people, in their speeches previously, have already commented on the significance of having not only a female Governor-General opening the 43rd Parliament but also the presence of a female Prime Minister. For many of us, I think, who have stood back and supported women getting into politics and into senior positions in this country, it was quite an inspiring day and should lead to a lot of young women in this country truly taking that as a message of inspiration and opportunity.

The 43rd Parliament is also significant in that we have seen elected to the House of Representatives for the first time an Indigenous person of this country. I want to acknowledge his election to the House of Representatives and congratulate Ken Wyatt on being able to achieve that significant goal. We have also seen the first Muslim elected to the Australian parliament in Mr Ed Husic. I think that truly demonstrates that, due to a democratic election in this country, this parliament is able to have representation that does reflect what is happening out there in the broader community.

I want to also acknowledge that for the second time we have had a Welcome to Country ceremony at the opening of parliament, and this time it has become part of the institution of opening the parliament. The terrific ceremony we witnessed and were participants in in the forecourt on Tuesday acknowledges that as a country we have come some considerable way to recognising the role that the first Australians and Indigenous people play. They were the first inhabitants of this country, and no doubt even of the land we are standing on, and we now have at least the manners and the foresight to recognise that as part of the significant beginning of each and every parliament.

I do note also that, as part of the agreement in this parliament, recognition of country will be stated each morning in the House of Representatives. Some of us are asking why that has not been the case in the Senate. Some of us on this side are asking—and, hopefully, the opposition will also take up the call—to have that recognition of country in the Senate each morning as well as in the House of Representatives. Let us hope we can achieve that and that when the new Senate begins on 1 July next year it becomes part and parcel of our everyday life here in the Senate each morning as well.

I do want to turn to my own election. As people would be aware, territorians have the opportunity to be elected to this chamber every three years, not every six years, so senators from the ACT and the Northern Territory go up for election each and every time the House of Representatives goes up. I was re-elected to the Senate and I want to place on the record how honoured I still continue to be to have been chosen by the people of the Northern Territory to represent them in this chamber. It is a humbling experience. It is a daunting experience sometimes when you have such a vast expanse of land to cover. Having 1.3 million square kilometres
in the Northern Territory and only one per cent of the population presents some challenges from time to time, but it is certainly a very humbling experience.

It was my fifth federal election and on Tuesday I was sworn in in this parliament for the sixth time. Last night I was calculating with Kate, my 14-year-old, that, after 4,486 days, as of today I am now the longest serving senator from the Territory. That is something I am significantly proud of. I want to take this opportunity to formally thank my family for their support again not only during the election campaign but during the past three years. I also want to thank the members of the party and supporters of the party in the Northern Territory. You do not get to be in a place like this unless you have a huge, competent and energetic team committed to not only the Labor Party but getting you here. You do rely on them enormously during the election campaign. I also want to thank the voters of the Northern Territory, who have shown their confidence in me again.

I want to formally place on the record my congratulations to Senator Nigel Scullion on his re-election. I acknowledge as well that voters in the Northern Territory place confidence in him to represent them. Although we do differ from time to time on many points of view, I think the address-in-reply debate is a time to formally acknowledge his election to the Senate as well.

So, as I said, Tuesday, for me, was still a very significant day. I had the honour of being joined by a very close friend of mine who I have known since primary school, Anne Lindhe. She is here today as well in the gallery. It has been a great week spending time with her and her son, Tristan, here in Canberra. I want to acknowledge as well her friendship over decades. I will not hint at how old that actually makes us. We will not go there at all.

Let me now turn to the federal election. I want to make some comments about the way in which the election is conducted in this country, particularly when you come to an expansive part of the country like the Northern Territory. I want to place on the record the way in which the Australian Electoral Commission go about their business. It is true that this country has the best democratic system and it is true that we have the best electoral commission in the world. When you look at the way in which our elections are conducted, the role of the AEC and the way in which they are eminently competent, we are head and shoulders above anywhere else in the world, I believe, but we will not stay the best in the world if we do not continually revise and reflect on the way in which elections are conducted. It is a bit like an action research project.

I think there are some things we can do to improve the participation of people when it comes to regional and remote Australia. Covering a place like the Northern Territory is not an easy task. Not only are there six regional towns but there are many hundreds of communities with populations of 500, 25 or 3,000. The Electoral Commission undertakes vast work to ensure that in the lead-up to polling day a polling booth goes into each and every community, homeland and place it can imagine where people may live. In fact, two weeks before the polling day 22 mobile polling booths start going around the Territory.

I notice that in the Northern Territory we have a significant number of people who are not on the roll. In fact, I think around 35,000 people in the Territory were not enrolled to vote but could have been, if you look at the ABS statistics. I notice in a briefing paper from the Parliamentary Library that at the time of the 2007 federal election more than 1.1 million people who were eligible did not enrol to vote and then as a result we have
had nearly 2.3 million Australians not fully participating in the election despite being entitled to do so. So you have people who are not getting on the roll and those on the roll not getting a chance to vote.

I know the Electoral Commission in the Territory use innovative ways to get people on the roll. They go to sporting events in communities and they go to festivals and have stalls at the Big Day Out and Bass in the Grass. So they are doing the best they can, but I think it is time this nation came up with a more innovative way to get people on the roll. I think we need to link that to a Medicare card, so that if you have a Medicare card in this country or you are a Centrelink recipient you also have to be on the roll. Perhaps we do not issue drivers licences to people unless they are on the electoral roll as well. We have to do something to encourage, or even mandate, people to be on the electoral roll in this country. It is part and parcel of what we need to do to keep our democracy precious and alive.

Then of course we can go to the issue of voter turnout and have a look at the number of people who actually turned out to vote in the Territory. In the electorate of Solomon 90 per cent of people turned out to vote. Solomon takes in Darwin and Palmerston—it is an urban electorate. So a 90 per cent turnout is probably not that good, but at least it is an improvement on Lingiari. Lingiari is the electorate that takes up the rest of the Northern Territory. There we had a voter turnout of only 76 per cent. I think that is appallingly bad. I think the turnout was so low that it is time to rethink the way in which we conduct our mobile polling. I think we have got to the stage where we need to actually start to trial some static mobile booths in some of the largest communities. I mentioned this to the AEC on the day of the declaration of the ballot. I think that in large communities like Yuendumu, Maningrida, possibly Wadeye and even on the Tiwi Islands it is time to trial a static pre-poll booth so that you have a chance to go to that booth and vote on the Wednesday, Thursday or Friday before polling day.

At the moment the system is that we fly into a community and we are there for one day. If you do not happen to be in that community on that day then you do not get a chance to vote. So, logistically, if you are at Milingimbi one day and the polling booth is 500 kilometres west of you and then the next day it goes to Milingimbi but you go to the other community then you have missed out on your chance to vote. I think the low turnout is not because people do not want to vote. I do not think people do not come to the polls as a sign of protest; I think they do not come to the polls to vote because we just do not have them out there for a long enough period of time. It is a submission I will be making to the Joint Committee on Electoral Matters when it is reconvened and it is also a proposal that I will send directly to the AEC and ask them to consider for the next federal election. Hopefully, we will be able to get more Indigenous people not only on the roll but also voting. I think that will mean a better democratic system for us.

I want to turn to some of the issues that we encountered during the election campaign. Of course I want to focus on the Indigenous issues. I think it was very disappointing that we did not see any policy come out from the coalition until a couple of days after people had started voting. Jenny Macklin, our Indigenous affairs minister, made a watershed speech on 17 July and another speech on 9 August at the Garma Festival at Gulkula in north-east Arnhem land. So there were two clear signals, two clear road maps, for Indigenous people to pick up and say, ‘If I am going to vote for the Labor Party then this is what it means.’
I was very saddened and very disappointed to find out that the coalition could not produce their policy until a couple of days after the mobile polls had started. Mobile polling started on 10 August. From memory, the coalition launched their policy on 12 or 13 August. I did have people out in some of those remote static polling booths ask me what was the difference between our policy and the coalition’s policy. I had to say to them, ‘I can’t tell you because I haven’t seen a coalition policy yet.’ So it is unfortunate that the coalition could not quite get its act together to have an Indigenous policy out there prior to when people started to vote. Perhaps it says a bit more about their intent and commitment to where they stand with that policy development work.

In our road maps we clearly laid out for Indigenous people three areas that we want to address. I think these are significant. If you look at the policies that we said we would introduce and if you look at our commitment to closing the gap and putting in place fundamental government structures to improve the lives of Indigenous people then you see that we want to do three things. First of all, we want to address the decades of underinvestment in services, infrastructure and governance. The second key area we want to address is working with the communities to rebuild the positive social and community norms that are so necessary for strong families and healthy communities. Thirdly, we want to strengthen the relations between Indigenous and non-Indigenous Australians. For me, it is a bit like a triangle: we cannot have one without the other two or the whole plan will collapse. So we look at addressing the underinvestment, we look at working with communities to strengthen and build healthy committees and at the same time we look at our relationship with Indigenous people.

Clearly we can look at the result of the vote in the Northern Territory. Warren Snowdon was re-elected. I place on record my congratulations to Warren. He works diligently for his constituents in Lingiari, and that was recognised again. I am really pleased that he has been reappointed to the ministry. But there is no doubt that people turned to another party during the election campaign—though not significantly enough to not get me or Warren re-elected. I might add that they did not vote for the coalition in turning to another party. They did, though, voice some objection to some of the ways in which they believed our policies were impacting on their lives. For us it is a good time to take stock and have a look at the way in which our policies are being communicated to people and the way in which we are interacting with people. If you do not do that after an election and if you do not take stock of where you are going then I think you start to lay out a pretty bad road map for the future. We do have good news stories happening in the Territory and communities that recognise where they are happening. Particularly in north-east Arnhem Land and around Katherine and some of the communities in Central Australia, there was a recognition of the work we have started in the 2½ years we have been in government and there was a recognition that we need to keep going.

I do not agree with Senator Ludlam’s assertion in this place during one of the debates yesterday that we lost all of the mobile polling booths south of Tennant Creek. That is not correct. If Senator Ludlam goes back and checks the record, he will see that that is not a correct statement—not at all, in fact. So there is still confidence in supporting the Labor Party from Indigenous people in the Northern Territory, and we now have a significant challenge in order to live up to that expectation. One of the things I do want to say is that there are two significant areas we
have committed to in the coming term which I think are fairly exciting areas. There is a commitment of $20 million to try to break the cycle of substance abuse, to implement a national framework through COAG to deal with alcohol and substance abuse and try to break that cycle in Aboriginal communities. I think that is one area where we can work with Indigenous people, and Indigenous people are seeking some leadership, support and commitment from a federal government to do that.

The other significant area that I enthusiastically look forward to being part of is Indigenous constitutional recognition. There was an announcement during the election campaign that we would pursue bipartisan support for taking the steps needed to progress the recognition of Indigenous Australians in the Constitution. That is not going to be an easy process. I was here in the Senate with former senator Aden Ridgeway when we attempted previously to try to amend the Constitution to get Indigenous people recognised. Just agreeing on the format of words, on exactly how you would go about doing that, is a challenge in itself, let alone getting to the point where you actually get the Constitution amended. So it is a great idea and it is a terrific, visionary area of reform that we will embark on with Indigenous people, but I also think it is going to have its significant challenges. I look forward to the establishment of the expert panel on Indigenous constitutional recognition and the work that that panel can undertake and come up with. Let us hope that it is consensus driven enough to have some outcomes for Indigenous people.

In closing, I want to say that the coming three years provide an opportunity for us to work very closely with people in rural and regional Australia. I have not had time in this speech to talk about the agreement we have with some of the Independents about reforms in regional Australia. The elevation of Simon Crean into the cabinet as a minister for regional Australia will also have flow-on effects to people in the Northern Territory. I think some of the focus we will now see on people who live in the bush, in remote, rural and regional Australia, is a good thing for this country. I think it is going to benefit not only my constituents in the Northern Territory but also Indigenous Australians. (Time expired)

Senator STERLE (Western Australia) (11.54 am)—I rise to respond in this address-in-reply debate to the Governor-General’s speech. In the last three years there has been both bad news and good news for Australia. The bad news has been that, while we did not fully realise it at the time, the major world economies, including Australia’s, stood on the brink of an economic disaster, which was to unfold with full force during 2008 and became known as the global financial crisis. I am a Geelong supporter and a Geelong member so GFC has different connotations for me, and unfortunately we are having our own little crisis too. But I am talking now about the global financial crisis that turned out to be the greatest economic setback experienced by the global economy since the Great Depression of the 1930s.

Very few leading economists forecast the speed or the extent of the world economic downturn. In fact, few could have expected the dire situation the world would face as we stood upon the virtual precipice of a systemic collapse of the world’s financial systems. However, through the concerted action of the major Western economies, the global economy was brought back from the brink of ruin and fortunately is recovering, although in a modest fashion. Neither the US nor Europe have yet to restore their economic health to the levels previously enjoyed. Indeed, many leading commentators remain pessimistic about the likely speed of economic recovery in the US and Europe. The US still has sig-
significant problems with high unemployment and high debt levels, and several European nations are by no means out of the woods yet. Closer to home, there was no doubt that at the time we faced the massive risk that our economy would be overwhelmed by overseas events. While our economy is strong, we are reliant to an extent on the health of nations such as China and India, who represent major export markets for us.

The good news for Australia has been that in November 2007 Australia elected a Labor government. This decision by the Australian people provided a government prepared to make the hard decisions. On 24 November 2007 Australians elected a government that knew what needed to be done to protect the jobs and livelihoods of millions of Australians. The Labor government was prepared to make the hard decisions. It was this Labor government that took decisive action to provide economic stimulus that kept thousands—and I mean thousands—of small businesses’ doors open. It was a stimulus that kept brickies, sparkies, plumbers, roof tilers and many more actively engaged, a stimulus that provided much sought after work to truck drivers, store persons and suppliers of building materials. It was a national building stimulus. Unfortunately, that lot opposite at every single turn opposed our stimulus packages, did not support one—none of you.

Senator Bushby—We voted for the first one.

Senator STERLE—You too, Senator Bushby from Tasmania, voted against it. It was a stimulus that provided not only much-needed and appreciated employment to hundreds of thousands of Australians but also to over 9,000 school communities throughout this country. These school communities and the students of these schools had been sadly neglected under the 11 years of the Howard and Costello era and would still have been neglected if it had been up to the likes of Mr Abbott, had he been in power when the GFC hit us. What was the opposition’s response to this economic crisis? Chaos. The shadow Treasurer, the member for North Sydney, first claimed—I think it is imperative that everyone understands this—that the government’s economic stimulus was ‘ineffective’ in protecting the Australian economy and was a waste. But not for long: within weeks he was bemoaning the stimulus as being too effective.

The Deputy Leader of the Opposition, Ms Julie Bishop, the member for Curtin, said we should have waited to see what happened before taking any action. I ask you, Mr Acting Deputy President: could you imagine where we would be now if we had taken Ms Bishop’s advice? Indeed, what would Mr Abbott’s response to the GFC have been if he had been Prime Minister? In just February this year, Mr Abbott argued that we should have followed the example of New Zealand and avoided direct stimulus. Here are some interesting facts: New Zealand, a nation which is still recovering from unemployment as high as 7.3 per cent and whose debt per GDP exceeds Australia’s, has lauded this government’s response as an example for others to follow. Thank goodness Mr Abbott was not in charge of this country at the time.

But New Zealand is not alone. I want to talk about Professor Joseph Stiglitz. Professor Stiglitz is the Nobel economic laureate and former World Bank chief economist, and he has repeatedly said that the Labor government did a fantastic job. He said the stimulus worked:

…Australia had the shortest and shallowest of the downturns of the advanced industrial countries.

He said the Labor government had put in place a Keynesian stimulus package that was ‘one of the best designed of all the advanced industrial countries’. As we enter the 43rd
parliament it is extremely fortunate that we still have a Labor government, a government led by Australia’s first female Prime Minister. Prime Minister Gillard played a vital role in ensuring Australia’s prosperity through difficult times, and the Gillard government will continue to make the hard decisions needed to drive Australia’s economy into the future.

Australia has retained a government that has the track record to manage Australia’s economy at a time when major parts of the world economy are still extremely fragile. It has also retained a government that is passionate about issues important to Australians such as climate change, the National Broadband Network and a fairer return for our natural resources through the minerals resource rent tax. Unfortunately, this has not been a bipartisan goal of the Australian parliament. Over the past three years there has been a chorus of negativity coming out of the mouths of the opposition, an opposition whose men and women yesterday continued to echo past failed conservative policies and attitudes. It was no credit to the opposition to continue to talk down the performance of the Australian economy during the global financial crisis, when the Labor government was receiving—and continues to receive—widespread praise for its policy response to it.

Australia has emerged from the worst global economic downturn since the Great Depression with a strong and vibrant economy. This did not occur by chance; it happened because of decisive decisions and actions taken by the Labor government. As we enter the new parliament, the Gillard government will continue to put forward policies that will benefit Australians. The minerals resource rent tax, or MRRT, is a levy on companies who profit greatly from digging up our natural resources such as coal and iron ore. I wish to stress ‘coal and iron ore’. The implementation of the MRRT is not, as those opposite will argue, an impost that will damage the mining and resources industry. We cannot allow the opposition to camouflage truth and reality with glib one-liners, as was their form during the recent federal election. It is important to understand that the three largest miners in this country—BHP Billiton, Rio Tinto and Xstrata—have signed up to the government’s minerals resource rent tax. Under the guidance of Mr Don Argus, the former head of BHP, and Minister Martin Ferguson, we will continue to work through the MRRT proposals with other interested parties. This process of negotiations is just another example of how the Gillard government understands how vital our resources industry is to Australia’s prosperity.

The MRRT is not—I stress ‘not’—designed to bankrupt this sector, as the opposition continues to claim, but to ensure that these highly-profitable companies pay a fair share for the resources that they dig up. I know that the idea that wealth should be distributed evenly to all Australians is one that is alien to those opposite and to their backers such as Mr Clive Palmer, the man who owns the Nationals, and his fellow Rolex revolutionaries such as Mrs Gina Rinehart. Mr Palmer has recently made headlines in the west over allegations that he has received favourable treatment from the leader of the WA Nationals, Mr Brendon Grylls. I would never want to insinuate that Mr Palmer would attempt to exert undue influence over a minister or government—not at all—but it seems quite coincidental to me that Mr Palmer was able to have a multimillion-dollar environmental bond removed from his Balmoral South project in WA after several meetings with Mr Grylls, the leader of the party to which Mr Palmer has made not one but several generous donations. I would also note that one of these meetings involved Mr Palmer taking Mr Grylls on a joyride in his
helicopter. Fair enough. As I said, I would not want to put any credence to these allegations that have yet to be proven, but it should be a very good lesson for those opposite that you should be very careful who you associate with—or, in the terms of the WA Nationals, who you have fund your election campaigns.

Mr Palmer is not alone, though. WA’s own mining magnate, Mrs Gina Rinehart, is also a vocal supporter of those opposite. Here is a lady with visions. Mrs Rinehart has a vision for Australia, and it involves sacking Australian workers. Those are my words. Mrs Rinehart has a view that in the great state of Western Australia we should have northern economic zones and that these northern economic zones should have fences around them within which Australian wages must not be paid to the workers. She said it in a full page in the West Australian and she was not on her own; there were a heap of her mates who signed up to it. We should have foreign workers who should come in and build these massive mining projects not on Australian wages—her words—but on much lower wages. Why? So her company could still afford to sell iron ore to India and China. She was not going to take a dip in her profits—no. But the workers must not be paid Australian wages. Thankfully, her vision will not come to any fruition while there is a Labor government in power. It amazes me just how quick those on the other side were to stand up for the billionaires ahead of working Australians—but, then again, let’s never forget that that is the party of Work Choices.

It was only several months ago that the Hon. Senator Abetz was pushing for a return to Work Choices, apparently believing that a bit of tweaking here and there would be needed. I am sure Senator Abetz just had some minor changes in mind, minor changes such as a quick cut to wages and a quick slash to conditions here and there—who knows? But Mr Abbott was not too happy about having his policy published before the election. We know it happened. It was in the first week of the election and Senator Abetz was making his tweaking references. After that, we never saw Senator Abetz. I do not know what happened to him. He was probably hanging around in the Tasmanian wilderness, not that that would be a bad place to be hanging around during an election. I would not have minded it myself. But he has appeared again this week. He is back out of the woods.

The Gillard government, however, does care about the wages and conditions of Australian workers, and the Gillard government will continue to produce policies that benefit all Australians. In the first week of the new parliament we will be introducing over 40 pieces of new legislation that will make a difference to the lives of Australian families. There will be legislation to establish the first National Preventative Health Agency, which will tackle the preventative health challenges we face like diabetes and heart related health, and legislation to strengthen ozone protection mechanisms and strengthen water efficiency labelling. There will also be legislation that will give real recognition to carers, acknowledging their enormous contributions.

At the recent federal election the Australian people had their say, and the new parliament reflects that. It is of course suicidal for any party to ignore the wishes of the Australian people, and it is incumbent upon parliamentarians from all sides to heed the lessons of the election and enter this new parliament with those lessons firmly in their minds. The Gillard government has responded to those lessons by entering into reform agreements with their parliamentary colleagues. These agreements are designed to lead to a new parliamentary system that will
provide better legislation and better outcomes for the Australian people.

Initially it seemed as if the opposition would also engage with their fellow parliamentarians. Indeed the Leader of the Opposition was only too eager to sign up to the parliamentary reform package put forward by the Independents. Mr Abbott called for a kinder, friendlier parliament and nearly seemed sincere in his convictions. Unfortunately, since the agreements with the independent members of the House which saw the Gillard government returned, Mr Abbott has decided that not only can he not be taken at his word—that is what he said—but also his signature cannot be relied upon.

**Senator Cash**—What about your policy on backflips?

**Senator STERLE**—It was only earlier this year that Mr Abbott admitted, Senator Cash, that what he said could not always be trusted, that the Australian people should only put their faith in what he had actually put in writing. Now Mr Abbott has shown that, even when he has signed up to something in writing, he cannot be trusted to hold true to that agreement. I dare say there are some quite decent Liberal members who would privately be quite concerned that their leader could rat on an agreement in such an arrogant manner.

In a country that has been built on a handshake, on the principle that a man’s word is his bond, Mr Abbott has shown that his words mean nothing and his signature even less.

**Opposition senators interjecting**—

**Senator STERLE**—Oh, they are all awake over on that side. Welcome to the debate, you lot; nice to have you on board, sitting there—I nearly had to give you a nudge because the snoring was starting to scare me.

**The ACTING DEPUTY PRESIDENT (Senator Barnett)**—Order! Senator Sterle, use the correct words when referring to senators in the chamber.

**Senator STERLE**—Having walked away from the parliamentary reform agreements, Mr Abbott has shown that he stands for nothing except the acquisition of power. When the opportunity to form a government was on the table, we saw an opposition and an opposition leader who were ready to bend over backwards to be seen as constructive and inclusive of the ideas of others. With that prospect taken away, however, we see the opposition once again slide back into its normal state of being.

This is an opposition that has a sense of entitlement when it comes to government, and having been denied this we know the recriminations will be swift and brutal. We saw in the last parliament the manner in which the Liberal Party gave in to a tendency for infighting once in opposition, and I am sure the member for Wentworth is biding his time, waiting for an opportunity to pounce on those who were the undoing of his first incarnation as opposition leader.

While acknowledging Mr Turnbull, it would be remiss of me not to mention the other elephant in the room. The Nationals are locked together with the Liberals in an ill-fitting coalition of convenience. At this stage what we have witnessed—and it is only Thursday of the first week—is that they are still in bed together but their pyjamas are firmly bolted up.

**Senator Ryan interjecting**—

**Senator STERLE**—They are not bolted up—the pyjamas are not bolted up? I take that back. While the opposition continues to look backwards to the past glories—

**Senator Ryan interjecting**—
Senator STERLE—I just had a vision, Mr Acting Deputy President; I am so sorry. I will apologise to Senator Boswell later. While the opposition continues to look backwards to past glories, the Gillard government will work within the new parliamentary environment to produce legislation and policies that benefit all Australians. Just as the Labor government took the hard decisions to steer Australia through the global financial crisis, the Gillard government will continue to make the hard decisions, and we will work with our parliamentary colleagues to ensure this great country’s continued prosperity.

Senator HUMPHRIES (Australian Capital Territory) (12.13 pm)—I thank Senator Sterle for the comic relief he has provided to us in this otherwise very serious and important debate. I rise to support Senator Abetz’s amendment to the question before the chamber and to put in perspective what is unfortunately a very unbalanced itemisation of this government’s agenda. As a responsible member of this chamber, I cannot support a program put forward by the Gillard government which is, in my view, a representation of a weak and dishonest agenda. As a responsible member of this chamber, I believe that the program the government has outlined neither boldly confronts the nation’s challenges nor honours the commitments made to the Australian people by this government at the recent election.

At the heart of my criticism of the way that the government has presented its program is the perception that there is at the core of this agenda a constant desire by the government to wrap its actions and its intentions in deceptive clothing, to erect the appearance of a solution when in fact it has none, and to paint itself as acting in the national interest when in reality it is seeking to secure its own political advantage or that of its mates. A colleague of mine in the other place referred some time ago to this government as being ‘addicted to spin’. I thought at the time the term was a little bit harsh, perhaps an exaggeration, but the more I look at what the Rudd and now Gillard government has done and the way it has tried to sell itself through all of its broken promises and mistakes I have to say that I think the term is very apt.

The first thing that this government asks itself when announcing some new program or when trying to explain, when something has gone wrong, why it has gone wrong is: ‘How do we portray ourselves to make us look better than we are? How do we escape blame for our own mistakes?’ When we have the language of honesty and openness and sunlight permeating the government’s present pronouncements in the new parliament it is frightening to see it reverting in its program to the kind of spin addiction that was so common in the last term of parliament under both prime ministers. Labor’s addiction to spin is based on the underlying assumption that its mission is so important and its cause so righteous that deception and even outright lies are justified in the furtherance of that mission.

We see this in the language that the government has used since cobbled together the unlikely alliance which has delivered it power and delivered it based on the principle that holding power is much more important than knowing what to do with that power once you have it. They are now apparently the party of consensus and we are the party, they say, of wrecking. Every Labor MP that walked through the doors into Parliament House on Tuesday of this week used the words ‘Tony Abbott’ and ‘wrecker’ in the same sentence. What has brought this about? Apparently, it has been brought about by the fact that the opposition will not sign up to the new paradigm. We are not prepared to buy the line that consensus must be elevated at
the expense of conflict of any sort. This government seems to believe that a more effective parliament means all MPs having to agree with some form of the government’s program. If you do not agree with the government you are destructive.

I do not believe that this government actually does believe in consensus politics and the evidence I have of that is its behaviour during the 12 years of the Howard government during which time it agreed with the then government, on absolutely nothing. This government has signed up to the consensus mantra because it has been forced to by the weak position it has been left in by the Australian electorate. It has to compromise on its program because it lacks the authority of an election win and of a mandate to govern with. Because it has been cut off at the knees by the electorate it expects other parties to share this enfeebled position with it and to throw their policies away because Labor cannot keep hold of its. This opposition will not do that.

This opposition took a strong agenda to the last election, an agenda that faced up to Australia’s problems, an agenda that attracted some 700,000 more voters than were attracted to Labor’s agenda and we make no apologies for saying that we will pursue this agenda in the life of the 43rd parliament. We will confront Labor’s weak, spin-conceived agenda at every turn. That of course is the job of a good opposition. Benjamin Disraeli once said that you cannot have a good government without a good opposition and we intend to be a good opposition. By that I mean we intend to hold up government programs to the most intense scrutiny and if necessary to rebuff those programs. Why should we do that? In a sense we are reflecting the fact that the Australian electorate also rebuffed those programs.

The government said it wanted to move forward at the 2010 election, it wanted to adopt a new program, it wanted to put new things in front of the Australian community. In fact it suffered a swing against it of 2.7 per cent. People expressed by that decision a great reservation about the program Labor was putting on the table and I do not blame them one iota. I do not think this government is stupid; they know what scrutiny means. They know that parliamentary reform means that they are subjected to more pain on the floor of these two chambers. The fact is though that the government continues to speak in a strange, twisted language when it talks about this new era of openness and consensus. How do you reach a consensus by forming a committee with a predetermined outcome? How do you have openness when such committees proceed in secret and work with documents and submissions which are not open to the Australian community?

This government is not worried that the coalition will wreck consensus for Australia’s interests; it is worried that the opposition will wreck Labor’s interests not Australia’s interests. They conflate their own interests in the pretence of concern for the national interest and that frankly is not good enough. Take for example the phenomenon of them having been denied a majority in this parliament. You would think that that would lead an honest and open government—a government interested in openness and being forthright and frank with the Australian community—to say: ‘Our policies will be hard to deliver. We will try but we cannot promise that everything that we said we would put forward will get passed by the parliament.’ That would be a fair and honest thing to say.

But what the Prime Minister actually said, having been confronted by this new reality, is not that. What she said was that the government would now have to expect that all of
its election promises could well be dumped and that nothing it promised would necessarily make it even to the floor of either the Senate or the House of Representatives for consideration by the parliament. Its promise to have a people’s assembly on climate change disappeared within days of the election. It has not even tried. It is not even interested anymore. That is not the reaction of an honest and open government, and there are so many policies of that kind.

The government ruled out a carbon tax explicitly, repeatedly and unequivocally before the election, and now the new minister, Mr Combet, says that the different political environment entitles them to simply trash that policy. Yes, a carbon tax is back on the agenda. They talked about an immigration policy—a very half-hearted and insincere immigration policy, it seems to me—that was based on an East Timor solution. Where does that stand now? Where is the progress with that? I suspect it is very much on the back-burner. Every indication that has been given is that this will not happen in the life of this parliament. They said that they would not be extending the Curtin detention centre; there would be no plans for extension at all. That was simply a nonsense. It was a lie. Within days of the election it is happening. What they said would not happen is happening. They said that there would be a release of all the costings for all the states’ spending programs under the BER, Building the Education Revolution. Where has that gone? Nowhere—and so on and so forth with these broken promises. We have yet to hear by any means the end of that story. It is not good enough to cite the new political environment as an excuse to say that your promises are no longer of any importance. If this is the new paradigm, I am not interested. It is not good enough for me and it is not good enough, I think, for the Australian people.

Of course, the Labor government is not the only factor that is critical in the actions of government in the course of the next three years or whatever the term of the 43rd Parliament is. There are also other players, and I want to turn to them. Particularly in reference to this house, I am interested in the role that the Australian Greens will play in the formulation and delivery of government policy. I have to say that I particularly fear that element of this government’s program. Because the government and the Greens have offered to enter into an agreement, an alliance or a coalition—call it what you will—we have to hold the Greens responsible for the actions of this government as well. They said before the election that they would hold the balance of power, and they do. As a result, the Australian community needs to put them under a degree of scrutiny which they have not previously enjoyed.

With the advantages of being in a governing coalition come responsibilities. Senator Brown and the Greens took a great deal of time during the election campaign to distinguish themselves from the Labor Party, saying they had different policies and were not the same as the Labor Party. In fact, it almost seemed as if they were deliberately setting out to draw votes away from the Labor Party into their camp. But since the election result has been delivered, or at least since election day, Senator Brown has become almost the chief protagonist for a minority Gillard government. He has been spruiking it up and down the country and seemed to be the most relieved man in Parliament House when the Independents announced that they would support a minority Labor government.

Particularly in the ACT, where the Labor Party holds three of the four seats in the federal parliament, the Greens were at pains to say how they would stand up for Canberra against decisions made by a Labor government that mistreated this community. They
would not be taking part in any decisions that were harsh to the people of Canberra. But within days of the election they were in alliance with the Labor Party. They were part of an informal coalition with a Labor government. They did not mention that during the campaign, and I can see why.

The Greens now have a responsibility to be honest about their policies, and particularly how much they will cost, because that is one issue on which they did not come clean during the election campaign. Senator Brown complained, even in this week’s sittings and beforehand, that the media had not given the Greens sufficient scrutiny; they were not giving them the sort of attention that they gave to the major parties. I would suggest to Senator Brown that that is actually a good thing, because the Greens’ policies, and in particular the cost of their policies, would not have stood up to very serious scrutiny. The Greens promised enormous sums of money—billions upon billions upon billions of dollars—in the course of this election campaign. No issue was too small or insignificant. No community sector’s concerns were too lightly held to warrant a considerable expenditure of money by the Greens. They made those commitments freely, and they clearly outspent the major parties many times over, with no explanation of how they would actually pay for these promises. The Greens have a responsibility to engage with contrary points of view and to respect the will of the Australian voters at the ballot box—and, after all, the vast majority of Australians voted for parties that said that they would rule out a carbon tax. They need to bear in mind that other parties’ programs are of at least equal value to their own.

Their policies, with great respect, are dishonest. I particularly refer to their policies on non-government education. In this territory, where take-up of non-government education is at its highest level anywhere in Australia, the Greens soon realised that their policy of cutting funding for non-government education was a considerable liability, so Senator Brown came to the ACT and told local media that the policy would not proceed and that there would not be cuts to non-government education in the ACT or anywhere else. The policy had been evacuated. That was fine until a few days later, when Senator Brown was interviewed on ABC News 24 and was asked by a journalist about this change in policy. Senator Brown said: ‘Oh, no. There’s no change in policy. Our policy stands as it appears on the website.’ Again, in the ACT we raised the issue of what exactly the Greens’ policy was. The Greens’ Senate candidate reiterated that the Greens’ policy was not to cut non-government education in the ACT. Again Senator Brown went to the National Press Club and was asked by a journalist about apparent plans to cut funding to non-government education, as per the Greens’ website. Yes, said Senator Brown: that policy stood. Again we went back to the Greens’ Senate candidate and said, ‘Do you or do you not intend to cut funding to non-government education?’ She said, ‘No, there’ll be no cuts to non-government education.’ That is the kind of scrutiny that the Greens now deserve. We need to know exactly what the policy of the Greens is and, frankly, relying on their statements during the election campaign is not enough to do that.

The Greens, however, were not the only party involved in this election campaign who displayed spectacularly high degrees of dishonesty. I am referring here not to another political party but to the role of the organisation GetUp!. GetUp! spent colossal amounts of money in this election campaign. I am not sure what happened in other electorates, but in a great number of booths in the ACT there were large numbers of GetUp! workers handing out glossy brochures advising people...
about how to ‘cut through the spin’ and to work out what was happening in the election campaign.

I had experience of GetUp! in the previous election in 2007, so I watched with some trepidation what their role would be in this election campaign. In the early stages of the campaign I actually had a little bit of hope spring to my heart because they said that they were going to campaign on three specific issues: asylum seekers, climate change and mental health. As a person who has taken considerable interest in mental health I was interested in this particular position because I knew that the coalition was putting forward a policy that would undoubtedly be seen by all objective observers as a better policy than that which, at that stage, was evident from the Australian Labor Party. Indeed, by the time the election itself came around it was clear that we had a much better policy: $1.5 billion for new programs to assist people with mental illness in this country, building on the policy of $1.9 billion announced by John Howard in 2006—a very sound and a very appropriate policy for the challenge of mental illness. I thought to myself, ‘Well, I’m sure we will get marked down by the GetUp! people on asylum seekers, and I’m sure we won’t get many points on climate change from them. But at least, if they are honest, they will tell the people that we have the best policy on mental health.’

Election day came around and the obligatory brochures appeared, handed out by the workers from GetUp!, and—miraculously—of the three criteria that they had announced they were going to use to judge the political parties in this election campaign two had remained much the same but the third had somehow transformed itself. It was no longer a question of judgment on the criterion of mental health; they had now changed their policy considerations to health care, of which only one component dealt with mental health. The other two dealt with other issues altogether—closing the gap for Indigenous life expectancy and a national plan for improving preventative health. These were not issues that they had raised during the election campaign and not issues that had been dealt with within the forum that I attended a week before election day. These were completely new issues and—surprise, surprise!—because of these other things we no longer had an advantage over the government. We no longer had brownie points in that department and—surprise, surprise!—once again the Greens, which promised to do everything in all of those areas without question and to provide unlimited dollars to solve these problems, got the highest score from GetUp!.

GetUp! is a front for the Greens and, to a lesser extent, for the Australian Labor Party. It is not a credible independent observer of Australian politics; it is a player. It is a party in all but name, and it should be regarded so by the Australian community.

I believe that this government starts its term in the weakest possible position. It comes to the Australian people pretending that it has an agenda of reform and change when, in fact, it has scrambled to find an agenda at all before the last election in light of the fact that its agenda from the previous election had virtually collapsed, either because it had failed to find a way of delivering it or because its policies were undeliverable. This government does not fill me with much hope that it can do any better than the previous Rudd government.

Senator CASH (Western Australia) (12.33 pm)—I too rise to support the amendment to the Governor-General’s address-in-reply moved by my leader, Senator Abetz.

The opening of the 43rd Parliament on Tuesday confirmed many things about the Gillard Labor government. Perhaps what it
confirmed more than anything was that Gillard Labor, just like Rudd Labor, is all about spin over substance. In the opening paragraphs of the address to the parliament setting out the Labor government’s agenda for the 43rd Parliament, the Governor-General acknowledged the remarkable circumstance in that our nation has its first female Governor-General and its first female Prime Minister. She, obviously, did not go into the circumstances in which we got our first female Prime Minister, because the speech was written by the government.

The Governor-General said:
I also acknowledge the remarkable circumstance of our nation having its first female Governor-General and first female Prime Minister.

And she then went on to say:
This historic conjunction should be an inspiration not only to the women and girls of our nation but to all Australians.

I was watching Prime Minister Gillard at the time, and she sat there in silence and nodded. She nodded in what was clear agreement with the words being spoken by the Governor-General.

But this is where the problem arises, because that was nothing more and nothing less than Labor spin. We all know what happened when the female Prime Minister of this country left this place and returned to the House of Representatives. She returned to the House of Representatives and presided over the execution of a female member of the Labor Party, Anna Burke, from the position of Deputy Speaker. This was absolutely disgraceful. She sliced and she diced one of her own after sitting in this place and nodding in agreement at the words that the Governor-General read out, lauding women in Australia. That is an absolute disgrace of spin followed by what the Australian people now know is typical of the substance of the Labor government.

The women and the children of our nation that Julia Gillard was hoping to inspire by those senseless words should now be asking themselves, ‘How can the Prime Minister of Australia sit there and nod in agreement at the words being spoken by the Governor-General but then walk out of this place and by her actions execute a female member of the Labor Party? And not only that; then actually support a male to take her place?’ The answer to that can be nothing more and nothing less than that Julia Gillard has a self-serving desire to retain power. Despite championing women’s rights in this place, in a statement to the parliament she is happy to sacrifice one of her own female parliamentarians when it comes to scoring a cheap political point. And that is, well and truly, spin over substance.

With the commissioning of the minority Labor government, politics in Australia has well and truly sunk to an all-time low. Just days after the Prime Minister of Australia took the commission from the Governor-General, in a blatant attempt to try to justify what have now become her admitted policy backflips she informs the people of Australia that the Labor Party can do this because we are allegedly in what is now known as the new political paradigm, the new political environment, and because we are now in this new political environment, as far as Julia Gillard and the Labor Party are concerned, all bets are off with the people of Australia. I say to the people listening in the gallery today that I hope none of you relied on a promise made by the Australian Labor Party when you were voting in the election, because if you did the bad news for you now is that all bets are off. Julia Gillard made the statement to the people of Australia: ‘I can break my pre-election commitments. I never had any intention of honouring them. I do not have to because we are in a new political environment.’
If the Prime Minister of Australia did not believe that she could actually put her pre-election commitments into place, then she should not have accepted the commission from the Governor-General. If the Prime Minister of Australia did not believe that she was going to be able to keep the faith of the Australian people, she should not have formed government. But she did. And the problem we as Australians are now faced with is that we are subject to a weak government that lacks any form of coherent policy direction. That lack of any form of coherent policy was more than confirmed by Labor’s so-called policy direction on what is possibly considered one of the most important issues, and that is national security—the issue of border protection.

The issue of border protection was left to the dying moments of the Governor-General’s address. In fact, I think Ms Gillard was hoping that if you had blinked you just might have missed the fact that Labor will be doing absolutely nothing to solve the mess created by the former Rudd Labor government. That is an absolute disgrace. So what we have in an agenda on the back page for the 43rd Parliament is more rhetoric—nothing more and nothing less than rhetoric. The Labor government has presided over disaster after disaster, budget blow-out after budget blow-out, boat arrival after boat arrival—and yes, another boat arrived last night—all at the expense of the Australian people.

But does the Labor Party care? Do those on the government side of the chamber care that they are compromising the people of Australia? The answer is quite simply no. And do you know why? Because principles and sound policy mean absolutely nothing to those in the Australian Labor Party. They are motivated solely by a self-serving desire to retain office and sit on those government benches. In fact—and, Senator Ronaldson, you will appreciate this—Julia Gillard is merely following the edict proclaimed by the ALP powerbroker Graham Richardson, who gained notoriety with his very famous statement, ‘Labor will do whatever it takes to succeed and retain power.’ Graham Richardson himself was confirming to the people of Australia that Labor will do whatever it takes to succeed and retain power. The problem, though, is that once Labor is in power its ability to govern this country in the national interest is absolutely abysmal.

The unwelcome influx of boats carrying unlawful immigrants into Australia was a major cause of concern at the very recent federal election. But does Labor see this as an issue it needs to take steps to address? The answer is clearly no, and this is highlighted in the address that was given to this parliament on Tuesday. The spin over the substance, the continuation of the Rudd Labor government into the Gillard Labor government, was evident when we heard the Gillard government tell us it will ‘promote an approach to processing or assessing refugee claims that is efficient, timely and fair’.

That was the spin. Let us now look at the substance. The Labor Party, on 9 April 2010, decided to suspend the processing of refugee claims from Afghanistan. That is the substance. Why did it do that? That was an absolute sham. It was nothing more and nothing less than an artificial contrivance of policy for politically motivated reasons. Let us go back to what Graham Richardson said: ‘Labor will do anything, whatever it takes, to stay in power.’

There was never any intent by the then Labor government for the suspension of the processing of claims of asylum seekers from Afghanistan to be a genuine policy response to the absolute mess that they created. Labor were prepared to use the people of Afghanistan, and the people of Sri Lanka at the time, for their own desperate political ends. And
what an absolute mess this policy has now created. There are now more than 5,000 people being held in detention by the Department of Immigration and Citizenship on the mainland and on Christmas Island, and there is still a suspension in place, but the Gillard Labor government expect Australia to believe, as the Governor-General said, that they will be ‘promoting an approach to assessing refugee claims that is efficient, timely and fair’. That is an absolute joke.

It gets worse. In the few short lines that were dedicated to the important issue of border protection in the Governor-General’s address to the parliament, the Labor government also led Australians to believe:
The government will always honour the obligations under the United Nations Refugee Convention to which our country became a party under Prime Minister Menzies in 1954.

Again, that was the spin; now let us look at the substance. The substance is that Labor’s commitment to the UN refugee policy is nothing more and nothing less than rhetoric, because the convention, for those who have bothered to read it, clearly states:
The Contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

So there is the substance. The suspension of the processing of claims by Afghani—and, at the time, Sri Lankan—asylum seekers was in direct conflict with our obligations under the convention. But that does not stop Labor from spinning to the Australian people. But the Australian people are not foolish and they can see through the shallow promises made by the Labor Party. While those on the other side like to stand up and say, ‘It was a great election victory; we’re back on the government benches,’ they forget to tell the people of Australia what the reality is: they lost 13 seats at the federal election. This is the first time in a very long time that a first-term government has lost its majority. That is not a success, whichever way you look at it.

In my home state of Western Australia, Labor was overwhelmingly rejected by the people. Western Australians voted overwhelmingly to reject Gillard Labor. The Labor Party has now been reduced to just three out of the 15 House of Representatives seats that Western Australia has in the federal parliament, such is the contempt that Western Australians have for what was the Rudd Labor government and is now the Gillard Labor government. And, of those three seats, not one of them is now considered to be a safe seat. They are all marginal seats. Mr Gary Gray must feel very sick when he looks at the way the people of Brand voted in the last election, because he is now in a very marginal seat.

We may have a new Prime Minister in Ms Gillard, but insofar as the actual workings of the Labor government are concerned nothing has changed. Nothing has changed. We have a Labor government that continues to break election commitment after election commitment, at the expense of the Australian people. In the less than five weeks that this government has been in power, Julia Gillard has openly admitted that she is breaking a number of election commitments to the Australian people. Forget the citizens assembly—that was bad policy; that has now gone. In terms of her commitment to the people of Australia that ‘there will be no carbon tax under the government I lead’, again, under this new paradigm, this new environment, all bets are off and we are now seriously considering one.

Directly relevant to the issue at hand was the announcement on 17 September 2010, just three weeks after forming government, about expanding a number of onshore detention facilities, because this directly contradicts commitments given by Ms Gillard, the
now Prime Minister of Australia, to the people of Australia just three days before they went to vote on 21 August. In this place we all thought Senator Wong was the queen of backflips, in terms of her stance on the ETS—will it commence on this date; no, it will not; it will commence on that date—but Ms Gillard is now giving her a run for her money.

Since the execution of Kevin Rudd, we have had 24 boats arrive in Australian waters, carrying a total of 1,307 unlawful immigrants and crew. Ten of these boats have arrived since 21 August, the day of the federal election—10 since the federal election, which was but a few weeks ago. The statistics were updated last night because, yes, another one arrived last night.

The people smugglers are clearly rejoicing in the fact that the Labor government have been returned to power. If they had had any concerns that Gillard Labor may actually tighten up the area of border protection, those fears have been completely allayed because they now know it is business as usual for people smugglers under the Gillard Labor government. Chris Bowen, in but his third press release in his new portfolio—one might say he has taken over a poisoned chalice from Senator Evans—is now announcing that this is the Gillard government’s response to protecting our borders. They will now have to build additional immigration detainees’ accommodation. That is it. Instead of taking steps to stop the boats coming, the Gillard government solution is to build more accommodation. Perhaps Prime Minister Gillard might like to tell the people of Australia why the boats will stop coming and why the people smugglers will stop plying their despicable trade when all she is doing is instituting a building program for refugee accommodation. She is sending a clear message to the people smugglers to bring people down to Australia.

There is so much more that could be said about the failures of the Gillard Labor government. However, the new paradigm of politics, the new environment that Julia Gillard refers to, can only be this: all bets are off and Labor, should they so choose, will not be honouring their pre-election commitments. That is a very sad state for politics in Australia. (Time expired)

Senator RONALDSON (Victoria) (12.53 pm)—In some 50 minutes on Tuesday the veterans barely rated a mention in the government’s speech delivered by the Governor-General. In a couple of quick words today I want to say how much I am looking forward to serving as the shadow minister for veterans’ affairs. It is clearly a complex policy area and it is a vital area of government policy. It was in the pursuit of government policy that we sent and still send our countrymen and country women to fight and wear our uniform. As a nation we have a special responsibility to those people who serve and who served our nation in times of war and relative peace.

I note with some pride that my son completed the ADF Gap Year program a couple of years ago and my grandfather was a decorated soldier of the Royal Horse Artillery in the British Army during the First World War. My son’s service was in stark contrast to mine, as I achieved the lowly rank of signal sergeant in the school cadet corps. But it was a great honour for me to be co-chair of the Ex-Prisoners of War Memorial in Ballarat, which is a magnificent structure dedicated to some 38,000 Australian PoWs, of which some 8,000 died.

At the last election the coalition released a comprehensive policy document focused on veterans and their families. I pay tribute to the former shadow minister for veterans’ affairs, the present member for Macquarie in the other place, Louise Markus. Louise’s
efforts have been loudly championed by the people I have already spoken to in the area of veterans’ affairs. Her dedication is manifested in the election commitments made by the coalition. I look forward to building on her good work in so many areas.

The coalition government’s objectives for veterans’ affairs can be summed up as follows: military superannuation reform, reform of pharmaceuticals for disabled veterans, an increased focus on veterans’ widows and wives through the establishment of online resources, enhanced family support for ADF personnel and new veterans especially during the transition phase from the ADF into civilian life, the provision of additional funding to support the absolutely pivotal and critical workers of our largely volunteer veteran advocates and welfare and pension officers; and, finally, a commitment to the review of military compensation. I do not propose to discuss each of these in any great length today, but I think it is important to place on record the clear differences which still exist between the coalition and the new, compromised government in the area of veterans policy.

In contrast to the coalition, the Gillard Labor government’s commitments in veterans’ affairs were a major let-down. Labor’s key commitment was to finally deliver on a promise made at the 2007 election in relation to pharmaceuticals, but even this has not done enough and is not widely supported by the veteran community. The government has also committed to a review of aged care for veterans, bringing the total number of reviews in this portfolio to 12 since the Australian Labor Party won the 2007 election. There were 12 reviews, but delayed responses left the veteran community wondering whether they were just stalling mechanisms rather than a means of achieving change.

In relation to military superannuation, the coalition is the only party in this place committed to affordable reform of military superannuation. On 27 June this year the Leader of the Opposition announced a plan to change the method of indexation for superannuants who are members of the Defence Force Retirement and Death Benefits Scheme or the DFRDB. Under the proposed changes, from 1 July 2011 DFRDB superannuants aged 55 and over would have had their pensions indexed at the rate of the consumer price index, the male total average weekly earnings or the pension and beneficiary living cost index, whichever was the greater. It was our intention to bring these increases in these pensions into line with the way other Australian government pensions were indexed. This change represented a major turning point in the debate about military superannuation. It represented an important first step in the reform of military superannuation.

The previous coalition government commissioned Andrew Podger to inquire into the military superannuation scheme. I concede that the findings were given to the previous government ahead of the 2007 election and not released publicly. However, after releasing the report on Christmas Eve 2007, the Rudd-Gillard Labor government did nothing on military superannuation for 2½ years. It took the coalition to do what this Labor government promised to do—take action on military superannuation.

Not surprisingly, after being gazumped by the coalition on this issue, the Labor Party tried to trash our costings during the recent election campaign. The Treasurer and the former Minister for Veterans’ Affairs tried to claim the coalition was leaving an $8 billion black hole for the future. The shamelessness of this claim was simply breathtaking. Labor’s claim, first and foremost, was based on inaccurate numbers. They deliberately mis-
used advice from the Government Actuary to misrepresent what the coalition had committed to. I can also confirm that the coalition will seek to use any measure available to us to force this government into making the change so loudly called for in the veteran community on the issue of DFRDB superannuation.

I will now turn to pharmaceuticals. The coalition’s pharmaceutical reform for disabled veterans would have assisted more than 87,000 disabled veterans to access pharmaceuticals with no out-of-pocket expenses from 1 January 2012. Under the coalition’s plan, disabled veterans in receipt of a disability pension paid at or above 50 per cent of the general rate would be eligible to have the pharmaceutical safety net threshold reduced from 60 to 30. This means that eligible veterans would pay for 30 scripts per year, and from the 31st script onwards would not pay any more for their medications. This reform, fully-costed, would have provided real relief for 87,343 disabled veterans. It was, once again, widely welcomed in the veteran community as a positive step that would have provided real relief to veterans.

I again contrast this with Labor’s late scheme. It is a stark contrast. Labor promised action in this area during their first term, and failed. They held a review, issued a paper, and forgot about it until the election. Labor’s plan would only benefit up to, in the government’s own words, 70,000 disabled veterans. And the government’s scheme requires disabled veterans to have qualifying service to be eligible. This excludes over 800 of our most severely disabled veterans, those who are totally and permanently incapacitated, who are on the special rate, but who do not have ‘qualifying service’.

The government’s scheme is also administratively complex. Under the government’s proposal, out-of-pocket expenses will be reimbursed to the veteran, meaning they will still have to forego the expense during the year and wait for a cheque from the government some time in the following year. Veterans will find themselves keeping their receipts and scripts as proof of purchase, in case the reimbursement does not arrive.

In conclusion, I would like to briefly address the Review of Military Compensation Arrangements, which is presently underway. The review is important, and I restate the coalition’s commitment made during the election to consult widely with the veteran and ex-service community on the recommendations which are included in it. We have to get this right. I call on the new Minister for Veterans’ Affairs, who is in the other place, to be upfront with the veteran community about the timeline for the release of the review. It was due out earlier this year ahead of the election; now in the countdown to the end of the year and Christmas I hope that we have it in enough time to give consideration to it before the end of the year. I am looking forward to the opportunity to serve in this portfolio. I say to the veteran and ex-service community, ‘I will be a forceful advocate for you in this place, and I will always do my best to be honest with you about the coalition’s position on veteran matters.’

I turn now to the Governor-General’s speech on Tuesday. It was 50 minutes of pure rhetoric. That is not a reflection on the Governor-General but it is a reflection on the government. I have had my issues with some of the activities of the Governor-General. Honourable senators would be aware that during Senate estimates there has been considerable discussion about the Governor-General’s trip in relation to the desire to secure a position on the Security Council. This was affectionately known as ‘the trip to Africa’—not the trip out of Africa!—or ‘the African safari’. Half a million dollars-plus
was spent by the Rudd-Gillard government to get the Governor-General to do their political work for them. That was completely against all tradition.

The Governor-General’s office initially tried to deny that the reason for the trip was that she was courting these African nations to vote for Australia’s position on the Security Council. That is why she was there; she was doing the government’s political work. It was absolutely and totally inappropriate. Half a million dollars of taxpayer funds were spent on the Governor-General in getting her to do the government’s work for them. I hope that the fact that that has been exposed will mean that we will no longer see that sort of behaviour.

I want to talk about this Labor government. It is, at best, a compromise government. It has been cobbled together with no vision. It was defeated on the floor of the House of Representatives, yesterday. That is almost unprecedented. It has been some 40 or 50 years—I think that is right, Senator Bushby, isn’t it?—since that has occurred. This is a compromise government cobbled together with the Australian Greens.

I would like to talk about my colleague Senator Humphries, who was taken on by the Greens and by the utterly duplicitous group known as GetUp! I can assure honourable senators that GetUp! float around this place and act as if they were the honest broker. Well, Senator Humphries knows that GetUp! are no honest broker. As Senator Humphries has said, they are a complete and utter front for the Australian Greens and the ALP. But what Senator Humphries did not refer to was the fact that they are a complete and utter front for the Australian union movement. They have no legitimacy in this process. They are not an honest broker; they never have been and they never will be.

We have a government without authority and without integrity. We have a government without the support of the Australian people. Quite frankly, it is a government that does not deserve to serve a full term. The so-called ‘new paradigm’ is another example of the sort of spin that you would expect from the Australian Labor Party. Expressions such as ‘the new paradigm’ are expressions of the Rudd-Gillard government. They are expressions of spin. They are the expressions of the focus groups that a former prime minister, Prime Minister Keating, has had a lot to say about and has attacked his own party over.

We have the remarkable claims from this government that it is a government of stability and of integrity. We all know full well that two of the cabinet ministers in this ‘stable government’ said to the Prime Minister: ‘You sack me, and I will not be in the House of Representatives. You can have a couple of by-elections and take your chances then, Prime Minister.’ So what did the Prime Minister do? She kept them there. Former Senator Richardson—so ably quoted and referred to by Senator Cash earlier on in her terrific contribution to this place—made it quite clear that one of those people was probably the member for Kingsford Smith, Mr Garrett—Mr Garrett, for goodness sake! Mr Garrett was responsible for the failed Home Insulation Program, the Green Loans Program—the latter of which was the subject of an Auditor-General’s report which was an absolutely damning indictment of the activities of the minister and the government.

So when you threaten the Prime Minister with a by-election because you are hanging on by a thread and relying on a collection of Independents to survive, when you threaten to leave, you end up staying there and getting rewarded. Senator Feeney is in the chamber. He got rewarded because he is responsible for getting rid of Mr Rudd. I suppose that is politics, and that is fine. But should Mr
Garrett get rewarded for the pink batts debar- cle that is still going on—a debacle that cost the lives of four young Australians? There are still houses that are electrified around this country, and he got promoted for that! He got promoted for a Green Loans Program that the Auditor-General has condemned.

The other matter I want to refer to is the carbon tax. I would have thought that a ‘new paradigm’ would involve keeping election promises—that would not be a bad start for a new paradigm—and being honest with the Australian people. While the majority of Australian people did not actually support Prime Minister Gillard, she still has a responsibility to them. Everyone in this chamber knows that, prior to the election, the Prime Minister ruled out a carbon tax. I will tell those in the gallery—and a warm welcome to you—why the Prime Minister ruled out a carbon tax. The Prime Minister ruled out a carbon tax because every one of you under a carbon tax would pay between 26 and 48 per cent more for electricity. The Prime Minister did not want you to know that before the election, so she ruled out the carbon tax. No sooner had the re-elected Prime Minister’s feet touched the ground and running and back on the agenda. I promise you, ladies and gentlemen in the gallery: that is what will occur in this country with a carbon tax.

I will tell you why that will happen. I suspect a very grubby deal has been done between the Australian Labor Party and the Greens. What I find of great interest is that the Australian Greens refused to acknowledge that one of their key platforms is the reintroduction of death duties. There will be people listening to this today or reading these speeches later who will remember the diabolical outcomes of death taxes. People, like me and Madam Acting Deputy President Troeth, who have spent the bulk of their lives outside metropolitan Melbourne know exactly what the outcome of death duties was—it ripped the heart out of Australian rural families. It destroyed many rural families. Some 30 or 40 years after that, we have a political party that will have more members from 1 July next year who will be running this compromised ALP government.

I put Senator Feeney and the Australian Labor Party on notice: if you do a dirty, grubby deal with the Australian Greens in relation to the reintroduction of death taxes, it will be on for young and old.

Senator Feeney interjecting—
Senator McEwen interjecting—
Senator RONALDSON—You have my absolute commitment to that, Senator Feeney—if you try and do a dirty deal with the Australian Greens to reintroduce death taxes, it will be on for young and old. I tell you: you will not be able to get in and out of this place because every farmer and every small business owner in this country will be out the front of this place to make sure that this does not occur. (Time expired)

Senator BACK (Western Australia) (1.14 pm)—Madam Acting Deputy President, I thank you for the opportunity to speak on the motion to adopt the address-in-reply to the speech of the Governor-General in this place two days ago. That was my first opportunity to be part of the opening of a new parliament, and it was a great privilege—which reminds me of the honour that it has been for me to be re-elected by the people of Western Australia, to whom I express my appreciation. What was regrettable for me on that occasion was that the quality of the content that was given to the Governor-General to present to this place did not in any way match the quality of her own presentation to us. It was an opportunity wasted. It was an opportunity—with everybody here assembled from both places, with the guests who
were privileged to be able to be here and with the Australian people listening in—for the Prime Minister, through the Governor-General, to have actually presented something. We know that when the last Rudd-Gillard government was elected, in 2007, it promised much and delivered little. The regrettable thing I heard in the presentation the other day was that there is very little to deliver on this occasion, because little was promised.

In the moments that I have, I will reflect on some of the promises most important to me and my constituency. The first relates to education. We were told that there will be a new focus on rural and regional Australia, particularly with regard to education. I have spoken in this place of the terrible circumstances that now beset regional and rural universities. In my own home state of Western Australia, we have been fighting a rear-guard action to keep the Muresk Institute of agriculture alive after 85 years. That is slipping. It is slipping because there is not, has not been and apparently—according to the speech—will not be an increased focus upon the need to keep regional universities and places of higher education open, recognising the added costs.

Speakers have already mentioned in this place the challenges associated with isolated children. There is a need—which we had hoped to see addressed—for youth allowance to be extended for tertiary students and for greater support to be provided for students from secondary schools. If you look back at the history of tertiary education in this country, and particularly at those who succeed at tertiary level, whatever have been the programs in place, low socioeconomic status has not been the main barrier to successful achievement at university. What has been and continues to be the case—and we see no reason, as a result of the speech, for this to change—is that those who cannot attend universities from their own home, in other words young people from regional agricultural communities, have been those who are disadvantaged. We saw nothing in the Governor-General’s speech to prevent that.

I was hoping that we would have heard an apology for the scandalous Building the Education Revolution funding of some $16 billion, but we did not hear any apology. I would have thought there would have been some explanation. I would have thought there would have been some accountability as to how these funds could have been so badly wasted in the state education sectors—particularly those of Victoria, New South Wales and Queensland—in contrast to the funds that went to the Catholic and independent schools.

I sat on the Senate committee that inquired into this. I exposed the fact that the Catholic and independent schools, under their block grant authorities, spent the funds that were made available to them exactly in accordance with what we would have expected per square metre. The difference between expenditure for the Catholic and independent schools and expenditure for the state schools was highlighted. The state school figures per square metre were double and even triple what we saw elsewhere.

It was unfortunate that people such as the Director-General of Education and Training in New South Wales said to us that it was because the Catholics and the independents did not factor in add-on costs such as furniture, fixtures and fittings—only to have them correct that. He then said that the difference was in the quality of construction. Well, history is already proving that there is a difference in quality of construction, in that many of the buildings put there by the contractors of the state systems are already falling apart. There certainly has been no indication at all that there has been inferior construction or
use of materials in the Catholic or independent school systems.

I was hoping that there might have been a recognition by the Prime Minister, through the Governor-General’s speech, that the so-called Building the Education Revolution never at any time had any impact or effect on the so-called economic stimulus, because as history shows—we have heard it from Tax, Treasury and others—we were already recovering from the global economic circumstances by the time the first bricks were actually being laid. I think always of those poor people from Tottenham Central School in western New South Wales who came all the way into Sydney only to learn how successfully others, in the Catholic and independent schools, had been able to spend their funds, as opposed to the small tin shed that they got as a cafeteria, which in occupational health and safety terms was too small to even be used.

On the National Broadband Network, far from there being a statement by the incoming government that they would pull it, review it and develop a business plan and economic case for it, all we heard was that they will move ahead with some $43 billion to create another government monopoly, whereas every other country in the world is taking advantage of competitive activities in the private sector to deliver in this area. I investigated this during the election campaign. I had a very well experienced software programmer—a person who has spent most of his life in this area—make the point to me that in fact Australia communicates only about five to seven per cent of all its internet connectivity within this country while between 90 and 93 per cent is overseas, in what he called the offshore pipeline. The point he made to me was that there is not a cent of the $43 billion that is actually committed to widening, increasing, doubling or changing that pipeline.

His analogy was simple. He said that within your home—within Australia—you can have the biggest, widest reticulation pipes you like, but if the pipe going from the mains in the street into your block is only three-quarters of an inch, or 19 millimetres, wide it is not going to change the connectivity and therefore the speed of access to the rest of the world. Surely, one would see that as being essential. I thought we would have found the answer to the question: why is it that in Tasmania, where connectivity has been free of charge, less than 50 per cent have taken it up?

I now turn to the agricultural sector—again, a sector which was absent from the Governor-General’s speech. As I have reminded the chamber before, Australia has both the obligation and the opportunity to feed more than 1.9 billion additional people in this region by 2050. I would have thought we may have seen an indication of where there would be stimulus and support for the sector. We are going to have to do it with less land, less water, less fertiliser, less fuel, less money and with an ever ageing population of farmers. With the government’s embrace of the rural regional Independents who have helped form this new rainbow coalition government, I have seen no indication at all on that. Not only that, but we are seeing our exporters being disadvantaged. More and more burdens are being placed upon them and it seems to be easier for importers. We see this in the horticultural sector at the moment. We see the assault on the apple industry in this country. We are trying to fight the importation of apples from countries—China and New Zealand in particular—that have apple blight, a disease we do not have. We know that, in those countries, they are using antibiotics to spray the trees before the fruit comes into this country. Yet we do not seem able to stop it.
I mentioned a few moments ago the question of education in the rural sector, and I come back to it again. If we cannot educate the next generation of farmers and agribusiness personnel to a level where they can pick up that challenge, we are going to be severely disadvantaged. I want to see some leadership from this government for however long they occupy the treasury bench.

I would like to speak of farm viability for a moment. How wonderful it is that in the eastern states this year you have got a season that will produce good crops. We in the west are having a diabolical season. It is likely that up to one-third of Western Australian grain producers will not be viable to put in a crop in 2011. The opportunity is there for government to provide leadership. For example, they can have a look at multi-peril crop insurance. For many years this has been a stabilising influence in North America, Europe and South Africa. Yet here we do not yet have that opportunity; we do not even have people willing to have a look at it. Those are the sorts of things I hoped to hear of in the speech from the Governor-General about the Prime Minister’s leadership of this country.

Being from Western Australia I cannot let this opportunity pass without reminding the chamber of the question of minerals royalties. How easily the previous Prime Minister and the Treasurer talked about our minerals being ‘the asset of all Australians’. The Australian Constitution is very clear. If we in this chamber do not stand up for the integrity of the Australian Constitution, who is going to? Under the Constitution, mineral royalties are the province of the states, not the Commonwealth. A mineral royalty is merely the price at which the government of a state, on behalf of the people of that state, is willing to sell that mineral to a would-be purchaser. A royalty is merely a purchase price by a company or an entity that wants to buy the mineral. It is nothing more, it is nothing less and it is nothing to do with the Commonwealth.

In all of the discussions that take place on minerals royalties, minerals taxes, resource rent taxes et cetera, let it be remembered that this is nothing more than a state issue. There is no role for the Commonwealth to be grabbing the royalties of the states. How disappointing it was to see negotiations with three multinational mining companies—and this was apparently going to change completely the relationship with the entire mining sector—only to be told, ‘We were really there representing the interests of the minor players, so get on with it.’ Well, ‘get on with it’ not at all—it ought always have been!

I hope this government has learnt for the future that you do not change by bullying, you do not change by arrogance; you change by good negotiation and good consultation well in advance, not in arrears and not with a gun to the head. Madam Acting Deputy President, this government has no idea of the damage it has caused internationally to the reputation of this country and, from the viewpoint of the smaller miners, the damage it has done to confidence in the banking sector. Whilst the banking sector might not be saying too much publicly, they are certainly concerned about where risk lies—and, as we all know, banks reflect risk in interest rates and in charges to their clients.

There has been much discussion about the carbon tax and climate change. My colleague Senator Ronaldson has spoken about the Prime Minister’s turnaround on the carbon tax. Will she stop at nothing to get elected? It is more about the future of this country than getting elected or re-elected, and everybody in this place should be devoting their attention to it. I remind you that we only produce 1.4 per cent of the world’s carbon. Any effort by Australia in isolation will either do nothing or, because of carbon leakage, add to the
level of world carbon. Of course we must move in relation to the rest of the world, but we must not at any time put families, businesses and industry at risk by some form of unilateral action.

The IPCC has been discredited in this whole process. There needs to be a robust debate by credible scientists and others. But there has not been that debate. We must surely engage but we must do so at a level that is commensurate with good science, good economics and good business, and we must not act in isolation from our trading partners and trading competitors. For those of you who do not know China, India, Indonesia or these other countries, go and have a look at their business practices, go and have a look at their procedures, and then ask yourself: to what extent are we in Australia going to have any influence at all? I can assure you we will have little influence.

I wish to draw attention—as indeed Senator Crossin courteously did—to the election to the House of Representatives this week of my associate Mr Ken Wyatt, who was successful in winning, after a spirited battle, the seat of Hasluck. Those who heard Ken Wyatt’s speech yesterday were immensely proud. Those of us from Western Australia, those of us in the Liberal Party, were immensely proud, and those who worked so hard to support Ken’s election are duly pleased and proud.

Ken Wyatt yesterday drew attention to the need for education and the need to support the elderly in our community. I have heard Noel Pearson speak eloquently about three factors when it comes to trying to lift those of low socioeconomic status, including Aboriginal and Torres Strait Islanders. He speaks of the equation being: self-respect added to opportunity equals capability. We heard that theme yesterday from Ken Wyatt when he said that self-respect came from his family, from his opportunities and from those who supported him, and that opportunity, for him, came from hard work and from education. Putting those things together—self-respect added to opportunity—we certainly see in Ken Wyatt a level of capability that I am sure is going to create new standards in this parliament.

I was particularly concerned at the time to learn of a limited number of emails from people to Ken, to his office, to say, ‘If I had known you were an Aboriginal man I wouldn’t have voted for you.’ Let me tell you: for every one of those stupid people there would be hundreds who, if they had heard his speech yesterday, would have said, ‘Knowing that you are an Indigenous man, knowing your quality and calibre, I certainly will be voting for you.’

Ken’s activity reminded me that I am privileged to have recently been invited onto the board of the MyKasih Foundation, a philanthropic foundation based in Malaysia which supports the mothers of low socioeconomic families. Funds are placed, on a fortnightly basis, for one year only—remember: there is no social security in Malaysia—into an account which the mother can access from her Malaysian identification card, the MyKad. On a fortnightly basis, she can actually shop as anybody else does for goods for her family. But linked to that financial support is a skills development program in budgeting and other household activities. The third component is encouragement for her children, be they young or adolescent, to participate in education—coming back to that all the time. As Ken Wyatt spoke yesterday I reflected on the value of that MyKasih concept and its possible application here in Australia.

I conclude now with reference to the coalition between the Greens, the Independents and the Labor government. Now is the time:
for the first time in the history of the Greens, they are actually in a position to influence policy in this parliament and I call on this government to call the Greens to account in the areas in which, they have said to the Australian people, they want removals. They want removal of the private health rebate—that 30 or 40 per cent. They want removal of the funding to the Catholic and independent schools sector, which will cost every Australian $6,000 for every child that is in a Catholic or independent school. And they want the introduction of death duties. I call on the government to repudiate and reject each of those three policies.

Debate (on motion by Senator Feeney) adjourned.

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

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Hutchins)—The President has received letters from party leaders nominating senators to be members of committees.

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (1.34 pm)—by leave—I move:

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

Appropriations and Staffing—Standing Committee—

Appointed—Senators Faulkner, Lundy, Parry, Sherry, Williams and Xenophon

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—

Appointed—Senators Cameron, Fielding, Fierravanti-Wells, Marshall and Parry

Australian Crime Commission—Joint Statutory Committee—

Appointed—Senators Boyce, Fielding, Hutchins, Parry and Polley

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—

Appointed—Senators Carol Brown and Parry

Community Affairs Legislation Committee—

Appointed—

Senators Adams, Boyce, Carol Brown, Furner, Moore and Siewert


Community Affairs References Committee—

Appointed—

Senators Adams, Boyce, Carol Brown, Coonan, Moore and Siewert

Sterle, Troeth, Trood, Williams, Wortley and Xenophon

Corporations and Financial Services—Joint Statutory Committee—
Appointed—Senators Farrell and McLucas

Cyber-Safety—Joint Select Committee—
Appointed—Senators Barnett, Bushby, Pratt and Wortley

Economics Legislation Committee—
Appointed—
Senators Bushby, Cameron, Hurley, Pratt, Williams and Xenophon

Education, Employment and Workplace Relations Legislation Committee—
Appointed—
Senators Back, Bilyk, Cash, Hanson-Young, Marshall and Wortley

Economics References Committee—
Appointed—
Senators Bushby, Hurley, McGauran, Pratt, Williams and Xenophon

Education, Employment and Workplace Relations References Committee—
Appointed—
Senators Back, Bilyk, Cash, Cormann, Hanson-Young and Marshall
Stephens, Sterle, Troeth, Trood, Williams, Wortley and Xenophon

Electoral Matters—Joint Standing Committee—
Appointed—Senators Birmingham, Bob Brown, Carol Brown, Feeney and Ryan

Environment and Communications Legislation Committee—
Appointed—
Senators Cameron, Fisher, Ludlam, McEwen, Troeth and Wortley

Environment and Communications References Committee—
Appointed—
Senators Boswell, Cameron, Fisher, Ludlam, Troeth and Wortley

Finance and Public Administration Legislation Committee—
Appointed—
Senators Bernardi, Faulkner, Kroger, Polley, Siewert and Stephens
Substitute members: Senators Moore and Forshaw to replace Senators Stephens and Polley from 18 October to 19 October 2010

Finance and Public Administration References Committee—
Appointed—
Senators Bernardi, Faulkner, Kroger, Polley, Siewert and Williams
Moore, Nash, O’Brien, Parry, Payne, Pratt, Ronaldson, Ryan, Scullion, Stephens, Sterle, Troeth, Trood, Wortley and Xenophon

**Foreign Affairs, Defence and Trade Legislation Committee**—
Appointed—
Senator Faulkner
Participating member: Senator Furner

Discharged—Senator Hutchins

**Foreign Affairs, Defence and Trade References Committee**—
Appointed—Participating member: Senator Furner

**Foreign Affairs, Defence and Trade—Joint Standing Committee**—
Appointed—Senators Bishop, Faulkner, Ferguson, Forshaw, Furner, Hanson-Young, Johnston, Ludlam, Macdonald, Moore, Payne and Trood

**Gambling Reform—Joint Select Committee**—
Appointed—Senators Bilyk and Crossin

**House—Standing Committee**—
Appointed—Senators Heffernan and Parry

**Legal and Constitutional Affairs Legislation Committee**—
Appointed—
Senators Barnett, Crossin, Furner, Ludlam, Parry and Pratt

**Legal and Constitutional Affairs References Committee**—
Appointed—
Senators Barnett, Crossin, Furner, Ludlam, Parry and Trood

**Migration—Joint Standing Committee**—
Appointed—Senators Bilyk, Boyce, Hanson-Young and McEwen

**National Capital and External Territories—Joint Standing Committee**—
Appointed—Senators Adams, Crossin, Humphries and Pratt

**Parliamentary Library—Joint Standing Committee**—
Appointed—Senators Barnett, Bilyk, Cameron, Fielding, Hutchins and Trood

**Privileges—Standing Committee**—
Appointed—Senators Bilyk, Faulkner, Johnston, Marshall, McGauran and Payne

**Procedure—Standing Committee**—
Appointed—Senators Brandis, Faulkner, Hurley, Ludwig, Parry and Siewert
Public Accounts and Audit—Joint Statutory Committee—
Appointed—Senators Barnett, Bishop and Kroger

Public Works—Joint Statutory Committee—
Appointed—Senators Forshaw and Troeth

Publications—Standing Committee—
Appointed—Senators Bernardi, Carol Brown, Marshall, Mason, Parry and Sterle

Reform of the Australian Federation—Select Committee—
Appointed—
Senators Furner and Moore
Participating members: Senators Bilyk, Bishop, Carol Brown, Cameron, Crossin, Faulkner, Forshaw, Hurley, Hutchins, Marshall, McEwen, O’Brien, Polley, Pratt, Stephens, Sterle and Wortley

Regulations and Ordinances—Standing Committee—
Appointed—Senators Carol Brown, Cash, Moore, Ronaldson and Stephens

Rural Affairs and Transport Legislation Committee—
Appointed—
Senators Crossin, Heffernan, Hutchins, Nash, Siewert and Sterle

Rural Affairs and Transport References Committee—
Appointed—
Senators Heffernan, Hutchins, McGauran, Milne, Nash and Sterle

Scrutiny of Bills—Standing Committee—
Appointed—Senators Bishop, Cameron, Coonan, Pratt, Siewert and Troeth

Selection of Bills—Standing Committee—
Appointed—Senators Adams, Carol Brown, Fifield and Ludwig

Senators’ Interests—Standing Committee—
Appointed—Senators Adams, Bilyk, Bob Brown, Fifield, Forshaw, Humphries, Johnston and Pratt

Treaties—Joint Standing Committee—
Appointed—Senators Birmingham, Cash, Ludlam, McGauran, Pratt and Wortley.

Question agreed to.
GOVERNOR-GENERAL’S SPEECH
Address-in-Reply

Debate resumed.

Senator ADAMS (Western Australia) (1.35 pm)—I rise today to speak to the amendment moved by the Leader of the Opposition in the Senate, Senator Abetz, seeking to add certain words to the address-in-reply. I find it very distressing that the Leader of the Opposition in the Senate has had to come forward and provide a list of all the problems that have been associated with the Governor-General’s speech, and the lack of clarity and policy that the Gillard government has provided within that speech. As a senator from Western Australia, I see that most of the issues will affect Western Australia and, as far as we—I know that my colleagues here in this place would agree—are concerned, Western Australia is not a cash cow for the rest of the country. Unfortunately, we have had the Prime Minister saying that there would not be a carbon tax; now we have a carbon tax, and this will affect Western Australia very badly. Then, on the climate change issue, firstly a people’s committee was to be formed, but that got dumped. Now we have a committee of people for whom the conclusions have already been predetermined. So what is really the point of having that committee dealing with this issue?

As far as the influx of asylum seekers arriving by sea, today we have another parliament and another boat arrival. The 97th boat this year—carrying 20 people, in the first sitting week of the new parliament—will add to the ongoing crisis in the government’s immigration detention network that is now accommodating a record population. We in Western Australia are fed up with having our detention centres increased and with the nonconsultation of the government with local governments who have to house these people. It is completely unfair and we have really had enough. Within the Governor-General’s speech, unfortunately, there was no policy. That is another issue which will affect us badly.

The government has also failed to provide a dedicated minister for education and a dedicated minister for disability services.

Senator Fifield—Shame!

Senator ADAMS—I think it is, Senator Fifield. Senator McLucas is the parliamentary secretary and she has certainly worked in that area before, but I think that for disability services they should have had a dedicated minister.

The government have failed to clarify their position on a private health insurance rebate and unfortunately, with the alliance with the Greens, we know where that is going to go. I just feel that the people of Western Australia especially have really been conned on all of these issues. As far as the government being economically responsible in dealing with housing affordability and announcing to the Australian people that they would not be bound to the promises they made to the voters during the election campaign, we now have this new paradigm. In our leader’s amendment it further notes that the government has outlined no credible plan to bring the budget back into surplus, to cut the waste, to pay off the debt, to stop the boats or to stop new taxes such as the mining tax. I was certainly very concerned today when I read in one of the papers that an economic committee said that we should be taxing all the mining people, not just coal and iron ore. I wonder how those people who are mining copper, nickel and other minerals are feeling today with that sort of thing hanging over their heads. For Western Australia our exploration is very important with the junior miners, and I really do feel for them when they do not know just where this is going.
I would now like to come back to how a government works and the people within the government who are elected to represent their states and their electorates here in Canberra. My WA colleague Senator Back has already mentioned Mr Ken Wyatt. Mr Wyatt is now the member for Hasluck and, as I think most people in the world would know, he is the first Indigenous person to sit in the House of Representatives. As the patron senator for Hasluck, I have worked very closely with and acted as a mentor to Ken. We have worked very hard and doorknocked enormous parts of the electorate, which is the only way that we could break through there. Ken is going to make an exceptional member for Hasluck. Yesterday at a meeting of some of the elders he was told, ‘You have really done us proud. You are there, but just remember that from now on, in the future, you are the member for Hasluck and you are there to represent the people of Hasluck.’ From this day forward I am sure that he is going to make a marvellous contribution.

Ken comes from a very humble background. His mother was one of the stolen generation. He was one of 10 children and his father worked on the railways as a ganger. Ken spent his early days and had his early education in a little wheat belt town called Corrigin. The Corrigin people, the Rotary Club, the Country Women’s Association and two other people felt that Ken had shown so much ability in his junior primary days that he should be given an opportunity to go to Perth to finish his secondary education. So, between them, they sponsored Ken to go to boarding school and to finish his education in Perth. He then went on to teachers college and became a primary school teacher, and he worked as a primary school teacher for approximately 20 years. During this time, he rose through the ranks of the education department in Western Australia and became the director for education in the Swan area, which encompasses the whole area of Hasluck. As we moved around the electorate, introducing Ken as the Liberal candidate for Hasluck, it was amazing the number of people we spoke to who held positions of senior authority within those schools and whom Ken had actually mentored to take those positions. He is very, very well known. In his other area of expertise, Indigenous health, he resigned from the health department as the director of Indigenous health to take up his present position. He is highly respected in the Aboriginal community and he has also shared his expertise in Indigenous health in New South Wales, where he spent a considerable amount of time working in that same area.

I believe in Ken Wyatt. We have someone who is a very humble Noongar man and can take responsibility for teaching us about the Indigenous people and how they would like to be represented and he has all these other skills as well. He has an AM for his contribution to education and to health. As people here are well aware, this award does not come cheaply. He also has a citizens award that was bestowed upon him several years ago for his community service. So we have someone within the House of Representatives who really has done it the hard way. He has worked in many, many different ways and, as he described yesterday, he has had to work hard to contribute to the family pay packet so that his family and his siblings could all be fed and clothed. I cannot speak more highly of such a person.

Another person I would like to speak about is someone who in the last election unfortunately lost his seat. That person had given 30 years to this place—that is, Wilson Tuckey. Wilson came from a very humble background. His father was a mechanic and his mother worked as well. In those days most women probably would have been at home looking after their families, but she
had to work too. Wilson became an hotelier before he was even at the age that he could
drink. He had a farm and then went on, as an entrepreneur, to establish shopping centres
and caravan parks and he had an earthmoving business in the town of Carnarvon. He
was the shire president of Carnarvon from 1965 to 1969, had a further seven years on
council and then went on to become the president of the country shires association. It
was at this stage that he was asked to stand for the newly created seat of O’Connor in
1980. He got through the first preselection. There were a few problems and he had to go
back for a second preselection, but he made it into the parliament. During his time here
he served as the Minister for Forestry and Conservation, the Minister Assisting the
Prime Minister and the Minister for Regional Services, Territories and Local Government.
He also served on the committee of the Western Australian Turf Club for nine years
and was chairman of that body for two years.

I have lived in O’Connor, during which
time I was president of the Liberal Party’s
O’Connor division for four years and I have
worked very closely with Wilson for proba-
bly the last 20 years. O’Connor is such a
huge electorate and it has had many bound-
dary changes. It goes from Albany up to Ger-
alton, out as far as Hopetoun and through
the wheat belt. You could not have got a
more fearless advocate for the seat of O’Connor.
Wilson always said he was the sitting member who stood up for O’Connor,
and he certainly did. It was very sad that,
with boundary changes, unfortunately he was
unable to retain his seat.

The people of O’Connor are rather con-
fused because, after O’Connor had been in
Liberal hands for 30 years as a very strong
Liberal stronghold, it has now gone not to
the National Party but to the Western Austra-
lian National Party and we have that member
sitting on the crossbenches as an Independ-
ent. So there is much confusion within
O’Connor. I am terribly disappointed that,
firstly, we lost, but, secondly, the current
member for O’Connor is not sitting as a Na-
tional Party person or within the coalition
party room. So once again there will be a
three-cornered contest for O’Connor at the
next election, and the Liberal Party will cer-
tainly be doing their best to win that seat
back.

But just to go on with some of the
achievements of Wilson Tuckey. He was
very keen on education and was able to con-
vince the Howard government that university
places were needed in Geraldton. At that
stage universities were in Perth, so anyone
who wanted to go to university had to go to
Perth to study. He came up with an idea that
if places were placed in Geraldton and the
universities had to bid for them, that would
give his constituents within the Geraldton
area an opportunity to attend university. This
happened with the combined university in
Geraldton, and it has gone from strength to
strength. A number of people have been able
to obtain degrees in nursing and teaching.
These people would not have been able to do
that, because they could not travel to Perth or
spend the time away from their families. So
it has given that area a very good opportu-
nity.

Another thing: the freezing of the wool
stockpile. That was a very important issue.
And there is the work he did towards deregul-
ation of the wheat market. I was very
pleased to be able to support him in the Sen-
ate with that particular issue.

Regional Partnerships probably was one
of Wilson’s main achievements. He was very
keen on having the area consultative com-
mittees help regional areas to obtain funding
for many different projects. With the demise
of the Regional Partnerships, I think the
country and regional areas are very much—
we really do miss that particular network. Unfortunately, Regional Development Australia has not taken up where the area consultative committees left off.

Another issue is the Carbon Pollution Reduction Scheme. Wilson Tuckey was very strong on that issue and simply refused to sit back and allow that to go forward, and hence we had a change of leader and of policy direction. I feel that Wilson’s efforts in that respect certainly helped the Liberal Party to once again become a very strong contender for government.

The other thing that we have a problem with in Western Australia is the proposed mining tax. This was something that, again, Wilson Tuckey was very strongly opposed to. We still do not know what will happen in this area. A secret deal was done with the big miners, but the small miners are very disillusioned. As I said, it was reported in the newspaper that there is a push for other minerals to be included in the measure.

In the few minutes I have left I would like to raise the issue of the Council of Australian Governments reform package for health. Western Australia is not prepared to give up its GST revenue, but it is prepared to put funding into a pool so that health can be funded. The COAG reform package resulted from bilateral negotiations with other states and territories and there are a number of reforms that are already being implemented in WA, but the ones that we are really worried about include the redesign of clinical services of surgery, elective and emergency services and outpatient services at a cost of $30 million; emergency care models, $7.2 million; enhanced service delivery in the northwest, $55 million; and aged-care programs, $63 million. Since 2005 there has been a 4.8 per cent decrease in the number of operational residential aged-care places in WA, compared with a 1.7 per cent increase nationally. As at February 2010, the number of non-operational aged-care places in WA was 2,541, resulting in a $90 million annual saving to the Commonwealth government. To address the shortfall in Commonwealth expenditure it is proposed that funding be provided directly to hospitals to cover the full daily cost of providing services for patients who are ready for discharge from state funded care but are unable to be placed in residential aged-care accommodation because of the shortage of beds in the non-government residential aged-care sector.

Also proposed is a $20 million child development service. Population growth has fuelled an increased demand for expansion of child development services in Western Australia. Investment in child development services would increase the number of children who are able to achieve their full potential and participate positively in all areas of society. With proposed investment this would include innovative work practices such as the use of clinical nursing specialists, therapy assistants and intake and triage teams, as well as the expansion of service models such as telehealth and public-private partnerships. Western Australia is in the process of developing private sector capacity to provide these services and would welcome Commonwealth funding to assist these initiatives. Regarding the expanded use of telehealth, which is cost neutral, and given the geography of WA, it is in the interests of Western Australians to have ready access to telehealth services. Currently, however—(Time expired)

Senator FIFIELD (Victoria)—Manager of Opposition Business in the Senate (1.55 pm)—I also rise to contribute to the debate on the address-in-reply to the Governor-General’s speech to open the parliament. It pains me to say this, but the Governor-General’s speech was pretty thin. That is no reflection on the Governor-General, because
we know the content was not hers—and, indeed, the standing orders prevent us from reflecting on the GG. So I make it clear that I am not reflecting on the her but on the speech which was delivered. It really paled in comparison to those speeches at the opening of earlier parliaments. Today I pulled out the speech of 1996, made after the election of the Howard government—you have to look for happiness wherever you can find it—and, I must say, it did represent a much more significant agenda than that which is being presented by this government.

It is important to look at the context of this address-in-reply speech, and the context, really, is those events which took place in the few months before the election. You will recall, Mr Acting Deputy President Hutchins, that the government was behind in the polls. So terrified was the government at the prospect of losing the opportunity to legislate its great agenda that the government did something unprecedented: it removed a first-term Prime Minister. I know, Mr Acting Deputy President, that that would have broken your tender heart. But those opposite soldiered on through that and fought a bruising election campaign. There was a tight election result—that is very clear. There were tortuous negotiations with the Independents. As the days rolled past, eventually the Labor Party crossed the line, and we now find that Julia Gillard has been Prime Minister for something in the order of 100 days. Having fought that epic battle to hold on to government—having fought that great battle to give expression to the great agenda of the Labor Party through the parliament—what did we find it was all about? What has hit this parliament? A bill on weights and measures, and we see coming that very significant piece of Labor Party legislation: an attempt to bring back compulsory student unionism. That is what it was all about.

Seldom has a government had less reason for being. Seldom has a government had less purpose. When I look at this government it brings to my mind that great Peter Sellers movie Being There, because, for this government, it is all about just being there. There is not a purpose; there is not a reason. We held out some hope that Prime Minister Gillard would be bold—and she promised to be bold. She said, ‘I’m going to govern like I have a massive majority,’ so we got a little excited that this might actually be a bold and reforming government, but the excuses are already coming. We hear from minister after minister the excuse that we have to recognise that the parliament is of a different character and that, therefore, that gives the government the right to break its election commitments. But the big lie at the heart of that is that previous governments did not control the parliament. Even if you had a majority in the lower house, you still had to negotiate through the upper house. For the government, all it means is that this parliament is front-end loaded, particularly after the middle of next year.

Debate interrupted.

QUESTIONS WITHOUT NOTICE
Parliamentary Practice

Senator ABETZ (2.00 pm)—My question is to the Minister representing the Prime Minister. The Prime Minister has said that she is ‘going to be transparent on any agreements entered into, and I will be’. In light of that promise, will the minister now tell us whether the Prime Minister has met with Senator Bob Brown, as prescribed in the Greens-Labor agreement made on 1 September? If so, what was agreed?

Senator CHRIS EVANS—The Prime Minister has indicated that she intends to lead this country in a way that provides transparency about government and about how government operates, and I think our
record in the first term in relation to freedom of information and other such matters establishes our credentials in that regard.

In terms of meetings between the Prime Minister and Senator Brown, other than walking down to the end of the chamber and asking Senator Brown, I have not got a recent list of times that Senator Brown and the Prime Minister have spoken. I am sure that if you asked Senator Brown, he would help you in that regard. But certainly the Prime Minister did indicate that she would be meeting with Senator Brown, and I am sure that has occurred. I had a meeting with him myself the other day; he is a very pleasant bloke to have a chat to. We had a good chat. That is part of the normal process of government. I want to have a chat with the Nationals about a couple of education issues as well and I am looking forward to having a chat to Senator Joyce. There are a couple of things that I think we will be able to work on. That is part of the normal way of operating in this place, Senator Abetz. Even you and I have a private conversation on occasions.

But you know that when you have a private conversation with me it is private, and when I have a private conversation with you your record so far has been to keep it private as well. I would expect that people would appreciate that to operate in this place people have private conversations, and those will continue to occur. In terms of any major public policy and issues that arise, no doubt both Senator Brown and the Prime Minister will comment on them in due course. But it is quite commonplace for people to have private conversations, and I am sure that will continue among all senators and parliamentarians. (Time expired)

Senator ABETZ—Mr President, I ask a supplementary question. That is a very strange definition of ‘transparency’. Under the Labor-Greens agreement, what legislation and what policies were agreed to between the Prime Minister and Senator Brown? What Greens proposals, and how many, have now been submitted for costings by the Prime Minister in accordance with the agreement? To which other ministers and senior public servants has the Leader of the Greens been given unfettered access in accordance with the agreement?

Senator CHRIS EVANS—I suppose the first point to make is that the agreement or arrangements entered into between the government and the Greens and the arrangements entered into between the government and minor and Independent senators have been the subject of press conferences by all those parties, and the nature of those agreements and the breadth of them have been made public at press conferences which have been very well attended. Also, the broad documents, as I understand, have been largely made publicly available. It seems to me, Mr President, that those parts of the question asked by Senator Abetz are obvious to everyone. They have been the subject of public discussion and the subject of press conferences held by the parties. So those matters are all on the public record. (Time expired)

Senator ABETZ—Mr President, I have a further supplementary question. Clearly they are not. Will the minister advise the Senate what other agreements, arrangements or understandings have been made between the Labor government and the Greens alliance partners after and beyond 1 September when their basic agreement was made public?

Senator CHRIS EVANS—The Prime Minister made clear the basis of arrangements entered into with the Greens and the minors and Independents in a very public way. She has spoken about that and has been available to speak about it in the media since that time. We are now in the process of try-
ing to make this parliament work. We will be working with all parties to advance the government’s legislative agenda and we will be looking for support around the chamber, both here and in the House of Representatives, to advance the government’s election commitments and our legislative agenda. I look forward to Senator Abetz and the opposition supporting us in much of that agenda, particularly as we look to drive our process of improving productivity, driving economic reform and improving skills and education in this country. The opposition will have the opportunity to support the government in those important objectives.

**Economy**

Senator HURLEY (2.05 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Can the minister inform the Senate what action the Gillard government will take in response to the International Monetary Fund’s call to maintain balance in the Australian economy?

Senator CARR—I thank Senator Hurley for that question. The IMF has once again strongly endorsed the government’s economic policy and its handling of the global financial crisis. It has also confirmed that growth in the resources sector creates challenges which reinforce the need for responsible economic management. As the Treasurer has noted, the government is determined to create a stronger, broader and more competitive economy that benefits all Australians. A diversified economy will reduce the risk of instability in any one sector or any one major export market, which might, in fact, if it were to occur, drive down confidence in the whole economy.

Diversity does not mean propping up inefficient and non-competitive industries. It means we must support productivity growth across the economy through our investments in education, skills, infrastructure and innovation. This is one reason why we are investing so heavily in universities and science research programs to enhance the productivity and the productive capacity of our industries. That is why we are driving innovation and renewal in established industries and it is why we are reforming research and development tax incentives to support small and medium sized enterprises prepared to engage in innovation. That is why we are doubling the level of support for small and medium sized enterprises engaged in genuine R&D and that is why we will be calling upon this parliament to support those reforms. *(Time expired)*

Senator HURLEY—Mr President, I ask a supplementary question. How does the minister respond to claims that the government’s support for industry will stifle opportunities in the mining sector?

Senator CARR—I thank Senator Hurley. First, I remind senators opposite that manufacturing is a strong and critical part of Australia’s economy. It adds value to the resources that we mine. It provides some 10.2 per cent of GDP and accounts for some 9.2 per cent of employment. Mining, by comparison, accounts for eight per cent of GDP and I think some 1.2 per cent of employment. Second, it remains a straw man argument to claim that mining and manufacturing are locked in some sort of zero-sum contest. The fact is that both sectors benefit from the resources boom. The mining boom is creating great demand for products and services. *(Time expired)*

Senator HURLEY—Mr President, I ask a further supplementary question. How does the minister respond to the suggestion that the government must hasten Australia’s return to surplus by slashing research and development spending?

Senator CARR—I was appalled that during the election campaign the coalition
sought to slash research and development expenditure. They sought to impose a policy upon this country of removing $1 billion from the EIF program. They sought to do that and still they could not cover up the $11 billion black hole that they left in their own costings. We saw that this government believes in responsible economic management, including targeted investment in programs that drive economic growth.

Honourable senators interjecting—

The PRESIDENT—There is a little bit of excitement in the chamber on both sides. The time for debating the issue is at the end of question time.

Senator CARR—Let us not forget that the IMF has said that this government has set for the return to surplus is appropriate. This is in sharp contrast to the slash and burn policies of those opposite. Investment in research and development by government and industry will boost our capacity to generate, identify and take advantage of new ideas and new investments.

Economy

Senator CORMANN (2.10 pm)—My question is to the Minister for Finance and Deregulation, Senator Wong. Does the minister agree with the International Monetary Fund’s assessment that ‘the impact of fiscal deterioration on long-term interest rates is significant and robust’? How many interest rate rises does the minister expect over the next year as a result of the Gillard government’s addiction to reckless spending?

Senator WONG—I thank the good senator for the question and I congratulate him on his appointment and look forward to many more questions. I particularly welcome a question like this on the day when we are seeing the IMF deliver another ringing endorsement of this government’s sound economic management. Our sound economic management is delivering good results for the Australian economy and good results for the Australian community. It is demonstrating and confirming the wisdom of the government putting in place the stimulus package which has saved jobs and averted a recession. If we on this side had listened to the economic policies of those on that side of the chamber, Australia would have been in recession.

Opposition senators interjecting—

The PRESIDENT—I need silence. I need to hear the minister.

Senator WONG—If we had listened to the policy call of those on that side, this country would have experienced negative growth and we would have seen hundreds of thousands of jobs lost, we would have seen what a recession looked like and we would have seen rising unemployment. We on this side are very proud to say that we took decisions for jobs and for job security.

Senator Cormann—Mr President—

Senator WONG—You do not like to hear it, do you, Mathias?

Senator Cormann—Mr President, my point of order is on direct relevance. I asked the minister a specific question about how many interest rate rises she expects over the next year. She is not being directly relevant to my question.

The PRESIDENT—I draw the minister’s attention to the question. I am listening closely to the answer. You have 51 seconds remaining.

Senator WONG—Let the record show that the shadow Assistant Treasurer thinks that jobs are irrelevant and the discussion of jobs is irrelevant. That says something serious, does it not, about the economic priorities of those opposite? I remind the good senator of the way in which the IMF—

Senator Cormann—Mr President, I rise on a point of order. As relevant as jobs are,
of course, they are not directly relevant to a question about interest rates. I ask you to direct the minister to be directly relevant to the question asked, which was how many interest rate rises does the minister expect as a result of the Gillard government’s reckless spending?

Senator Chris Evans—Mr President, I rise on the point of order. The senator asked Senator Wong a question about interest rates, the economy and the IMF. She is dealing with those issues very seriously by talking about the government’s response to the economic challenges facing this country. It is perfectly relevant and perfectly appropriate. Senator Cormann may have this bee in his bonnet about direct relevance but he shows perhaps his inexperience. The reality is that the minister is directly answering the question asked of her.

Honourable senators interjecting—

The PRESIDENT—Order, on both sides! Since the point of order was taken, 16 seconds have elapsed. I have invited the minister to address the question that has been asked by Senator Cormann. I believe the minister is being relevant to the issue and I think the minister should now be allowed to continue the answer and finish the answer to the question in the remaining 35 seconds.

Senator Wong—Thank you, Mr President. As I was saying, the IMF strongly endorsed the government’s commitment to fiscal discipline and our firm plan to return the budget to surplus in 2012-13. I would remind the good senator that the IMF commented specifically on our fiscal consolidation, the fastest fiscal consolidation since at least the 1960s—a faster fiscal consolidation which most other advanced economies could aspire to. The IMF made a range of comments in relation to the importance of and the appropriateness of our fiscal strategy. (Time expired)

Senator Cormann—Mr President, I ask a further supplementary question. The minister clearly does not want to talk about interest rates. I ask again: when can small business owners and working families across Australia expect some relief from interest rate rises that are a direct result of Labor’s reckless spending?

Senator Wong—A sound fiscal strategy, sensible fiscal policy, ensures that you put downward pressure on interest rates; and
that is what we are doing. We are withdraw-
ing the surplus—

Opposition senators interjecting—

Senator WONG—I beg your pardon; we are withdrawing the stimulus, and we are returning to surplus faster than almost any other advanced economy. The good senator knows that. I would remind him also that the official cash rate of today is in fact still lower than it was for 95 per cent of the time when his party was last in office.

Opposition senators interjecting—

The PRESIDENT—I remind honourable senators that the time for debating this issue is at the end of question time.

Green Start Program

Senator MILNE (2.18 pm)—My question is to the Minister representing the Minis-
ter for Climate Change and Energy Effi-
ciency, Senator Wong. Minister, given the scathing analysis of the Green Loans pro-
gram in the Auditor-General’s report tabled yesterday, what assurances can you provide the Senate that its replacement, the Green Start program, will not be beset by the same problems? In particular, how is the government addressing the questionable integrity of the assessment tool so as to restore public confidence in the value and accuracy of home sustainability assessments?

Opposition senators interjecting—

Senator WONG—I hope the tactics committee gives Senator Macdonald a ques-
tion at some point. Senator Milne, the gov-
ernment welcome the release of the Audit Office report. We accept its findings. As you will recall, when I was the minister for climate change I made a ministerial statement and a range of decisions in relation to this program. The government—

Opposition senators interjecting—

The PRESIDENT—Order! Senator Wong, please resume your seat. People who want to constantly interject are just con-
stantly interrupting the conduct of question time. It is disorderly. I call the minister.

Senator WONG—It is obvious that the Green Loans program suffered significant failings, particularly in the design and early implantation of the program. Obviously this is unacceptable. It should be noted that the findings of the Audit Office obviously largely relate to historical issues with the program. Many of these issues have previ-
ously been traversed in the reports which were released by the government prior to the election, which include the report of Ms Patricia Faulkner. The government has used the lessons identified in those reviews to remedy legacy issues within the program and significant progress is being made. My recol-
lection is that the report itself in fact makes no further recommendations in relation to that program, which does signify that the government is taking action and the depart-
ment which is now responsible is taking ac-
tion in accordance with the findings of the Audit Office report. I understand that Minis-
ter Combet has appointed Mr Dreyfus to as-
sist him in relation to this program.

In relation to Green Start, I am advised that the release of the report does not have any immediate impact on the delivery of the Green Start program. I am also advised that the Green Start program has been informed by the lessons identified in past reviews.

(Time expired)

Senator MILNE—Mr President, I have a supplementary question. I thank the minister for her answer, but the question I asked was: how can we be assured that the Green Start program will not be beset by the same prob-
lems, particularly in relation to the assess-
ment tool? The Auditor-General did say that the assessment tool was inaccurate. How is that being addressed? Further, how are you addressing the fact that the majority of asses-
sors have been trained by unregistered training providers and that there is no process for assessors to demonstrate their competency against national standards before undertaking work with Green Start? How are you actually addressing both of those things? (Time expired)

Senator WONG—In relation to the first part of the question, I did go to that at the end of my answer, Senator Milne. I did indicate that Green Start has been informed and designed in light of the lessons identified in past reviews. If I can I will provide you with any further information that is appropriate. From recollection, there is a tender round or an application round in relation to that program and we obviously may well be constrained about what is in the public arena in relation to any commercial arrangements, but if I can obtain any further information I will.

In relation to the other matters, these go to a range of legacy issues. Many of them have been discussed in this chamber before. I think I was, in my ministerial statement, very upfront about a range of the concerns—training standards was one of them—and the government will continue to address those. (Time expired)

Senator MILNE—Mr President, I have a further supplementary question. I appreciate the concentration on the legacy issues but I am looking forward to the Green Start program and I would like to ask: is the government aware of allegations that certain companies who have applied for a contract under Green Start are already cold-calling ahead of the program’s commencement to build databases in order to get around Green Start’s prohibition on cold-calling? What is the government doing to make sure that these companies are not avoiding the regulations and getting into the same problems we got into before?

Senator WONG—Senator, if you have allegations of anything untoward occurring I would invite you to provide those to Mr Combet. Obviously the government would receive that information and would try and take appropriate action in relation to any complaints raised. I am not aware personally of the practice that you have identified. I am aware of that previously having occurred and the government taking steps to avoid its recurrence. But if you have evidence of activities which are of concern or inconsistent with government policy I would suggest you should provide those to Minister Combet.

Asylum Seekers

Senator BRANDIS (2.24 pm)—My question is to Senator Evans, representing the Prime Minister. I refer to the answer given yesterday by Senator Carr to a question from Senator Cash, concerning the Curtin detention centre, when the minister stated:

I am advised that work was undertaken at Curtin during the election. It related to stage 1 accommodation for approximately 600 detainees then at the centre.

I refer also to the answer given yesterday in the other place by the Prime Minister on the same subject, when she stated:

During the election campaign, works were occurring at the Curtin detention centre, and I refer to the detail of those works. They were stage 1 accommodation for the approximately 600 detainees then at the centre.

Are both of those statements accurate in all respects?

Senator CHRIS EVANS—I am not quite clear what Senator Brandis is seeking to establish but it seemed to me those statements were consistent.

Senator Brandis—are they accurate?

Senator CHRIS EVANS—My understanding is that, during the period of the election campaign, work was going on at Curtin base to accommodate the provision of the
base to a maximum of 600 persons; persons were already being accommodated there but there was further work securing them. The key point of yesterday’s debate was an allegation by the opposition that somehow authority had been given for extensions to capacity at various bases without public announcement. I think the answers that were given yesterday confirmed the longstanding practice taken by this government that when extensions to detainee accommodation were required, a decision, when taken, was then publicly announced. That was certainly my practice.

I think the information yesterday reflected the fact that those decisions, when taken, were publicly announced and that the new Minister for Immigration and Citizenship, Mr Bowen, announced—I think on the 17th; certainly since he took over the portfolio—further decisions in relation to accommodation. I think both the Prime Minister and Senator Carr were trying to be helpful in conveying that information, and that is what they sought to do.

Senator BRANDIS—Mr President, I ask a supplementary question. Can the minister assure the Senate that no works for stage 2 accommodation at Curtin detention centre were either tendered for or undertaken during the period of the election campaign?

Senator CHRIS EVANS—I can only say that any government decision in relation to extension of detention facilities would be taken by government in the normal way and announced. Those announcements have been clear. The decisions have been clear. We have been totally consistent in that regard. There was a lot of speculation around the extension of facilities during the election campaign, as there had been previously, because every time the department went, under normal circumstances, for contingency planning to look at a site or consider alternative accommodation there was community discussion and invariably press coverage. But that is different from government making a decision to increase accommodation capacity, and when those decisions were taken they were announced.

Senator BRANDIS—Mr President, I ask a further supplementary question. I note the minister’s failure to provide the assurance sought. Can the minister confirm that contractors and subcontractors undertaking or tendering for work at the Curtin detention centre during the period of the election campaign were required to sign confidentiality agreements?

Senator CHRIS EVANS—I cannot confirm that. I am sure the arrangements were in accordance with normal departmental arrangements, but I cannot confirm that for the senator.

Senator Brandis—Mr President, I rise on a point of order. I asked the minister a question. He said that he was unaware. In these circumstances it is appropriate for a minister to take the question on notice if he cannot provide an answer here and now.

The PRESIDENT—that is a further supplementary question that was by way of interjection across the chamber which I cannot possibly respond to. I did hear the interjection, but it is a further supplementary question which you are now asking. I would expect that you would need to convey that to the minister.

Senator Brandis—I merely point out that in circumstances of this kind the custom is for the minister to take the question on notice.

The PRESIDENT—that is no point of order there, but I have made it clear that the minister had sat down. He had completed his answer. The issue that you raise was by way of interjection. I did hear the interjection, and the minister, I know, did not respond to the
I know that I encourage people around this chamber on both sides not to respond to interjections, but if the minister decides to take that up, that is a matter for the minister in the conduct of his role as a minister.

Broadband

Senator CAROL BROWN (2.31 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister advise the Senate about the standard of broadband services in Australia? Can the minister explain what the Gillard government is doing to improve the quality of broadband in Australia?

Senator CONROY—I thank Senator Brown for her ongoing interest in this issue. After 18 failed broadband plans in 11½ years, the coalition left Australians with some of the worst broadband in the world. There is no Australian city—not one—amongst the top 100 cities in the world for average internet connection speed. We are 50th in the world for internet connection speeds, behind almost every single advanced industrial economy. That is the legacy of those opposite. Australia is ranked last in the OECD for fibre penetration and we have the fifth-most-expensive broadband prices in the OECD. That is the legacy that those opposite left Australia, and, despite the claims of those opposite that broadband in metropolitan areas is just fine—can I have some of what you’re smoking? I tell you.

Their own policy document states that there are over one million lines in Australia that have broadband-limiting technologies like pair gains installed. That is their own policy document. But, if you need further evidence, Ms Kate McKenzie, a senior executive from Telstra, has admitted that two-thirds of Australians in metropolitan areas cannot get speeds of more than 12 megabits.

The NBN rectifies years of policy failures by delivering affordable, world-leading broadband services to all Australian homes. (Time expired)

Senator CAROL BROWN—Mr President, I ask a supplementary question. Besides the Gillard Labor government’s world-leading plan for a national broadband network, is the minister aware of any other plans?

Senator CONROY—I am aware that those opposite threw together a half-baked broadband plan 10 days before the election, but I do not know whether that policy stands anymore. On 14 September Mr Turnbull said that the coalition’s broadband policy would be reviewed. Six days later Mr Pyne agreed: … you wouldn’t expect our policies in 2010 to be precisely the same in 2013. But the very next day Tony Abbott said: … having serious second thoughts about broadband policy is not a trap that this opposition is about to fall into.

Then, yesterday, the shadow Treasurer, Mr Hockey, agreed with Mr Abbott: ‘There’s no review of our broadband policy.’ So we have the Turnbull-Pyne broadband position from those opposite and we have the Abbott-Hockey broadband position from those opposite. (Time expired)

The PRESIDENT—I remind Senators that when they are referring to people in the other place they should be referred to by their correct titles.

Senator CAROL BROWN—Mr President, I ask a further supplementary question. Can the minister advise the Senate on the consequences of failing to invest in the NBN?

Senator CONROY—The NBN will ensure that Australians have access to affordable high-speed broadband. The NBN will create jobs, help us tackle climate change,
stimulate activity in the areas of health and education and offer small businesses new opportunities, while Mr Abbott wants to wreck this future. He has appointed Mr Turnbull to demolish the NBN, and Mr Turnbull is beginning to realise that by blindly opposing the NBN he is on a fool’s errand. In fact, last night on Lateline Mr Turnbull was asked about demolishing the NBN, and he said:

The fact is that - look, I’m not interested in demolishing the NBN.

(Time expired)

Wild Rivers Legislation

Senator SCULLION (2.36 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. The Queensland wild rivers legislation has the effect of locking up whole river catchments without the requirement to obtain the consent of traditional owners. In light of the growing concern from traditional owners, will the Gillard Labor government now support the coalition’s wild rivers bill so that traditional owners must give their consent prior to their land being declared a wild river?

Senator CHRIS EVANS—I thank Senator Scullion for the question. I understand that the Leader of the Opposition has introduced a private member’s bill into the House of Representatives to override the Queensland government’s wild rivers legislation. The government is very much focused on delivering its commitment to economic development and jobs for Indigenous people. The Australian government sees economic development as one of the keys to closing the gap on Indigenous outcomes, including in the Cape York area. We must also honour our environmental and heritage responsibilities, which also present opportunities for economic and commercial outcomes.

The government respects the views of Aboriginal leaders in the Cape York area and is committed to hearing the full range of views from Indigenous people but, like most communities, they have differing views and differing perspectives on these issues. We are also interested in hearing from the broader community, industry and environmental representatives.

It is obviously a complex and controversial issue, and that is why the government intends to refer these issues for full inquiry by the House of Representatives Standing Committee on Economics to ensure that the full story is known before Mr Abbott’s bill is debated. The terms of that inquiry will be broad and extend beyond the terms of the opposition bill to allow an open and inclusive examination of the issues. We are committed to practical ways to ensure that Indigenous people can participate in sustainable economic development. We must keep sight of the crucial place that water and river systems play in the economy and the life of the nation. Working directly with the Queensland government is also essential to resolving these issues.

We will be looking to work through the complex issues involved in this matter and have an inquiry that goes beyond some of the more limited terms of the opposition bill. I think that will allow us to come to grips with—(Time expired)

Senator SCULLION—Mr President, I ask a supplementary question. Other than appeasing the Greens, the government’s new coalition partners, and inner city environmentalists on whom the Labor Party now so heavily rely for their vote, what possible justification can the government give for imposing land use restrictions upon native title land without the owners’ consent?

Senator CHRIS EVANS—I am interested to see that Senator Scullion is such a defender of native title legislation and the rights of traditional owners. I welcome that.
Senator Abetz interjecting—

Senator CHRIS EVANS—Well, there have been occasions when perhaps the Howard government sought to override some of those rights and was not so keen on consultation and traditional owner authorisation. The key point is that there are diverging views, as I understand it, among those Indigenous people in the area, including among those who are the native title holders. As I said, this government’s intention is to work with all groups to try to find ways through what is a complex and controversial issue. Key to that will be listening to and looking to accommodate the concerns and interests of Indigenous people.

Senator SCULLION—Mr President, I ask a further supplementary question. In your answer to the first question you indicated that the government is very keen to ensure that Aboriginal people can also avail themselves of economic opportunities. If you are going to move towards an economic future without dependence on government handouts, how can the Gillard Labor government possibly now claim in any way to be a friend of the Indigenous people of Queensland?

Senator CHRIS EVANS—I am not quite clear what point the question goes to, but it is obviously the case, as with all economic development, that one looks to balance the economic development with environmental values at the same time. That is a challenge we confront in all economic development proposals, so it is about getting that balance right. But this government is very much committed to economic development and jobs for Indigenous people. It is part of our key thrust to try to reduce the gap in life expectancy for Indigenous people in this country. We know that jobs and economic development are at the heart of that, and self-reliance and building self-esteem are at the heart of that. So I think we are at one with Senator Scullion on the importance of jobs and economic development and opportunities for Indigenous people to pursue their lives independently. But we will have to balance those objectives with environmental and other concerns as we work our way through this issue. (Time expired)

Financial Institutions: Fees and Charges

Senator XENOPHON (2.42 pm)—My question is to Senator Sherry, the Minister representing the Assistant Treasurer and Minister for Financial Services and Superannuation. Almost 200,000 Australians have signed up to a class action against Australian banks to recover almost $300 million in unfair bank fees, such as late credit card payments and account overdrafts. In some cases, customers can go just $1 over the limit yet the bank will penalise them for $30 or more. I note the current campaign on such fees is being spearheaded by Choice, the Australia Institute and GetUp!. My question is: why has it taken individuals to launch litigation against banks to stop this unfair behaviour, rather than the government legislating for fair treatment of bank customers?

Senator SHERRY—Thank you, Senator Xenophon; I am very glad you have asked this question. Firstly, it is on the issue of a case I cannot go to because it is before the courts. What I can say—and I will outline it in great detail—is that the government has legislated. In fact, the Labor government has carried out the most extensive legislative overhaul of financial consumer credit laws this country has seen in 100 years, and they commenced on 1 July 2010 so I do not accept the assertion in the last part of your question.

The new laws include wide-ranging powers to overrule unfair terms in credit contracts. The National Consumer Credit Protection Act 2009 commenced on 1 July 2010. It provided a simpler standard national regime
for consumer credit regulation and it also implemented new responsible lending obligations to help protect consumers from taking on more debt than they can afford. This reform package I might say, with some modesty, began when I was the Minister for Superannuation and Corporate Law—

Senator Carr—Don’t be modest about that.

Honourable senators interjecting—

Senator SHERRY—and I had policy responsibility for the transfer of—

Senator Abetz—Why were you dumped?

Honourable senators interjecting—

The PRESIDENT—Are we finished? On both sides?

Government senators interjecting—

The PRESIDENT—Senators on my right! When we have silence we will proceed. Just wait, Senator Sherry, you are entitled to be heard in reasonable silence.

Government senators interjecting—

The PRESIDENT—Senators on my right! I am waiting to call Senator Sherry to continue his answer.

Senator SHERRY—Senator Abetz interjected. He has been promoted, but he has been promoted in opposition. I know where I would rather sit, mate. It is on this side of the chamber—government and minister. Promotion in opposition is not much fun, Senator Abetz. With the National Consumer Credit Protection Act 2009, as I have said, the new laws on consumer credit are the toughest Australia has seen.

Senator Ian Macdonald interjecting—

Senator Payne—Show that face to the Australian public, they’ll love it.

Senator SHERRY—It is a matter of reality, Senator. Back to the consumer credit regulation—(Time expired)

Senator XENOPHON—Mr President, I ask a supplementary question that may assist the minister. Is the minister saying that the new national consumer credit laws would mean that there could not be a class action of the type that has been brought against the banks?

Senator SHERRY—As I have said in respect of the class action which is before the courts I cannot make comment about that. That is the choice of a group of individuals who have decided to initiate legal action. What I am outlining—refuting the commentary in the third part of your initial question—relates to the claim that the government has not taken legislative action. The government has taken the most extensive legislative action in respect of financial services and consumer credit that we have seen in 100 years. It has transferred, strengthened and introduced single standard national financial services legislation and consumer credit legislation, which I was attempting to outline in greater detail until there were a number of interjections. It has carried out the most extensive reform in over 100 years. I think from recollection you took part in the debate, Senator Xenophon; I am a little surprised—(Time expired)

Senator XENOPHON—Mr President, I ask a final supplementary question. The government made a number of election commitments in support of bank customers including changing the way interest is calculated on credit card debt so that customers pay off the highest debt first not the debt accruing the lowest interest and restricting the practice of unsolicited credit card limit increases. Could the minister outline the details and time frame of implementing these election commitments?

Senator SHERRY—Thank you again for the question and the supplementary question. Yes, we made a number of specific commit-
ments making sure that when customers pay down their credit card it is applied first to the part of the credit card debt that is accruing the biggest interest not the least interest, ensuring credit card customers cannot exceed their credit limit unless they have already expressly agreed they want to be able to, and prohibiting credit card companies from offering higher credit limits without the cardholder’s request. We intend to go further with our overhaul and provision of tougher new consumer credit laws in respect of financial services. As I was about to say before I was interrupted, we have delivered on phase 1 of the consumer credit reforms. In phase 2 we will consider the need for the regulation of lending to small businesses and improvements to the regulation of credit cards. The reforms will be delivered in two tranches. The most urgent projects will be completed in mid-2011 and the more in-depth—(Time expired)

Economy

Senator BERNARDI (2.49 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. With Australian families already struggling with the rising cost of living as a result of three years of reckless spending by the Rudd-Gillard government, why is this government intent on driving the Greens’ agenda for a carbon tax and an even bigger mining tax for Australia?

Senator Cameron—The biggest struggle we had was Work Choices. You screwed workers to the wall.

The PRESIDENT—Order! On my right. Senator Cameron, I need silence.

Senator CHRIS EVANS—I am not sure there is much of a question from Senator Bernardi but more another ideological rave. The facts are that this government has worked very hard to address cost of living issues for the Australian people. We have had three sets of tax cuts. In each of the budgets we have provided significant tax cuts for working families. People on average incomes have benefited from very major tax cuts that have been implemented by this government providing direct help to middle-class families by ensuring that they pay less tax.

We have also made a very serious contribution to people’s standard of living by abolishing Work Choices and by ensuring that people have security of employment, access to fair industrial relations and fair reward for their work. We have also ensured that Australians have still got jobs. When we faced the global financial crisis, when you in the opposition said, ‘Do nothing,’ we invested heavily in a stimulus package that ensured that Australians kept working and that Australians still had jobs. That is now reflected in very good employment figures.

Senator Bernardi—Mr President, on a point of order on relevance, I specifically asked why the government is intent on driving a carbon tax and an even bigger mining tax on Australia. The minister has not even addressed or mentioned either of those big new taxes.

The PRESIDENT—I believe the minister is addressing the question that you have raised. It is a fairly broad question. I invite the minister to continue his answer.

Senator CHRIS EVANS—Senator Bernardi did not read the first part of his question, which was about the cost of living and which I am trying to address in the two minutes available to me. But I am happy to have supplementary questions, Senator Bernardi, because the other thing I wanted to mention to you is the largest increase ever in the pension for age and disability pensioners. Talk about the cost of living! I will tell you about the cost of living for people reliant on the pension. There was a huge increase in the pension which, in 13 years, governments had
not delivered, but this government delivered huge increases in pensions. That impacted on their cost of living. It gave them the opportunity to live in decent standards.

Honourable senators interjecting—

The PRESIDENT—Senator Evans, resume your seat. I realise there are only seven seconds remaining to answer the question, but it is very difficult, when there are interjections from both sides during an answer, to hear the answer. I am entitled to hear the answer, as everyone else is.

Senator CHRIS EVANS—Senator Bernardi ought to have a look at what has been done for pensioners by this government to ensure that they have a decent standard of living. (Time expired)

Senator BERNARDI—Mr President, I ask a supplementary question. The minister failed to address the primacy of the question about why they are driving a carbon tax and an even bigger mining tax on the Australian economy, so I ask: can the minister confirm whether the government has conducted any analysis or costing of the impact of these great big new taxes and the impact they will have on Australian families?

Honourable senators interjecting—

The PRESIDENT—It is easier if we have silence. Then we will proceed. The interjections by either side do not assist the conduct of question time, and they do nothing to raise the proper profile of this place.

Senator CHRIS EVANS—This again reflects the fact that the opposition’s economic credentials and economic capabilities go no further than the chant ‘great big new taxes’. That is it. That is all you have to offer. When we faced the challenge of global warming and the need to transform the economy to deal with global warming—

Honourable senators interjecting—

The PRESIDENT—When the interjections cease on both sides, we will proceed. Senators on my right and my left!

Senator CHRIS EVANS—It just shows how lacking in any economic ability the opposition are. We have still not heard from them how they managed to end up with an $11 billion black hole in their funding proposals from the election. I understand that Mr Hockey was not told until he turned up at the press conference that the figures did not add up. I do not think Mr Robb told him. There are serious economic challenges facing this country, including how to make sure that we benefit from the mining boom and that the mining industry pay their fair share of tax. The government is tackling those challenges. The opposition ought to get serious.

Senator BERNARDI—Mr President, I ask a further supplementary question. It is very clear that the minister is unable to mount any sort of justification for a carbon tax and an even bigger mining tax, so can the minister please tell Australians whether it is actually Labor’s election promises or the Greens’ radical agenda that will dictate the policy direction of this country?

Senator CHRIS EVANS—It is clear that Senator Bernardi is struggling in this more complex debate when he has to move away from simple chants and simple low politics. The reality is that the government is working at trying to deal with the fact that global warming requires us to look at how we limit carbon emissions and how we transform our economy to address those issues. It is also the case that the national government has to look at revenue from mining and work out whether we have the balance right. What we did prior to the last election was to negotiate with the major miners an MRRT which allows the Australian community to get a proper return from the use of their minerals.
We think that is an important thing to achieve. We look forward to bringing it before the parliament, and I look forward to the opposition getting serious and supporting us.

Hospitals

Senator MOORE (2.57 pm)—My question is to the Minister representing the Minister for Health and Ageing, Senator Ludwig. Can the minister advise the Senate on any new funding avenues available for health institutions to access funding through the Gillard government’s health and hospital reform program?

Senator LUDWIG—I thank Senator Moore for her question. I note that she has a keen interest in health and hospital reform. I am pleased to inform the Senate that the Minister for Health and Ageing and the Prime Minister have announced the next round of applications for the Health and Hospitals Fund, which is now open for rural and regional Australia. As Minister Roxon said today, this round of funding is worth a total of up to $1.8 billion and will accept applications up to 3 December 2010. This new allocation of funding will enable our rural and regional towns to invest in new infrastructure, including for mental and dental health and acute care facilities for regional hospitals, and can potentially fund new facilities to train medical practitioners that work in our regions. The funding will also support the clinical capacity of regional hospitals. This honours the agreement between the government and independent MPs. Minister Roxon has consulted with independent members and the regional development minister to ensure that this next round is targeted directly at regional healthcare needs.

Of course, with this new investment, our regional towns will be able to provide better health services to areas that have gone without for so many years under the Howard government. The investment in health and infrastructure will help support better health outcomes for rural and regional communities. The Gillard government is also committed to delivering superfast broadband to allow the development of e-health initiatives to help get expert advice in real time and, of course, is committed to the introduction of GP superclinics across the community. It is also to ensure that families can see a GP and get the allied health services they need. The national health and hospital plan is a $7.4 billion commitment by the Gillard Labor government to deliver better services to all Australians. (Time expired)

Senator MOORE—Mr President, I ask a supplementary question. Thank you, Minister. Can you provide any information on the current level of funding under the landmark health and hospital reform program by the Gillard government?

Senator LUDWIG—I thank Senator Moore for her question, her supplementary question and her continued interest in this area of regional health.

The Gillard government is taking decisive action to relieve the pressure on our public health and hospital system. Our plan will ensure that patients will no longer have to wait all night in a hospital emergency department, with the introduction of the four-hour rule. Patients will receive their elective surgery within the clinically recommended time, thanks to the national access target. We will open 1,316 new sub-acute beds, helping to take the pressure off hospitals, and this comes on top of the 2008 $64 billion health-care agreement, which was a 50 per cent increase on the last agreement signed by the Liberal government.

We have taken this action in the best interest of Australia, both in our capital cities and throughout regional Australia. These commitments have been completely costed.
and funded, and will be rolled out to the benefit of the Australian community. \(\text{Time expired}\)

**Senator MOORE**—Mr President, I ask a further supplementary question. Can the minister advise the Senate why this health and hospital reform is crucial to delivering health services to our communities across Australia?

**Senator LUDWIG**—The Gillard government’s health and hospital reform package is a crucial step forward in delivering much needed funding to Australia’s health and hospital system. Those opposite, of course, have opposed this move to deliver increased funding to the Australian hospital system. But this should come as no surprise, of course. As we all know, the record of the Leader of the Opposition—Mr Tony Abbott—on health and hospital reform as the previous Minister for Health ripped $1 billion out of the health and hospital system.

Of course, this was $1 billion that could have been spent on hospital beds and acute care facilities; $1 billion that could have been spent on training doctors and nurses, and funding X-ray machines and cancer clinics. We on this side are acting to deliver much needed health and hospital funding for the benefit of Australians.

**Senator Joyce**—Mr President, I rise on a point of order. My point of order goes to the truthfulness of the statement about Mr Abbott, because that is not the fact. It is not the truth.

**The President**—There is no point of order. That is not something that I can judge.

**Senator LUDWIG**—Those opposite are sensitive about ripping $1 billion out of the health and hospital sector. \(\text{Time expired}\)

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

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**

**Wind Turbines**

**Senator LUDWIG** (Queensland—Manager of Government Business in the Senate) (3.02 pm)—Yesterday, Senator Fielding asked me a question on the impacts on health of wind turbines. I seek leave to incorporate the answer from the Minister for Health and Ageing, the Hon. Nicola Roxon, in Hansard.

Leave granted.

*The answer read as follows—*

In July 2010 the National Health and Medical Research Council (NHMRC) released a public statement titled NHMRC Public Statement: Wind Turbines and Health which is based on the report *Wind turbines and health: a rapid review of the evidence.*

The NHMRC review investigated whether a link between wind turbines and adverse health effects had been established.

The review found ‘There is currently no published scientific evidence to positively link wind turbines with adverse health effects’.

Full details are available on the NHMRC website at: www.nhmrc.gov.au.

**QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS**

**Parliamentary Practice**

**Economy**

**Senator McGAURAN** (Victoria) (3.03 pm)—I move:

That the Senate take note of the answers given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Abetz) and Senator Bernardi today, relating to election commitments and the introduction of a carbon tax.

It is hard to believe that in just two full days of this parliamentary sitting Labor’s second term is already built on incoherence and a list of falsehoods worse than in the first term.
Even in their first term, Labor admitted that they were off the rails—so much so that it was enough to bump off a first-term prime minister. All their incompetence of the first term—

Senator Forshaw—you won’t be here for our next term!

Senator McGauran—Nor will you, Senator. I have been waiting for this—it is not lost on me. Let’s just put it this way: I am going down with all guns blazing.

The disregard for the national interest and the incompetence of the first-term government were not lost on the Australian people, for that matter—

Senator Forshaw—you’d better put steel capped boots on.

Senator McGauran—And what is more, I did not lose my preselection either, which is a bigger disgrace, Senator Forshaw. You ought to cop that.

Senator Forshaw—I didn’t lose mine! What are you talking about?

Senator McGauran—Why are you even saying anything? You never said anything for the whole term that you were here! You are going down with all guns blazing too, are you?

Senator Forshaw—it’s like Blazing Saddles!

Senator McGauran—For goodness sake—there goes our consultancy together!

The DEPUTY PRESIDENT—Order! The Senate will come to order. Senator McGauran, I ask you to address your remarks to the chair, not across the chamber.

Senator McGauran—I am desperately trying to make the point that what we have in the second term, after the disgraceful first term—which was not lost on the Australian people—

Senator Jacinta Collins—Desperate is correct.

Senator McGauran—At least give me some respect—or sympathy, even, if you could! For goodness sake!

Senator Jacinta Collins—I’ll give you empathy, Julian.

Senator McGauran—Empathy will do. That is all I have been getting, by the way. Not much sympathy; plenty of empathy.

The whole point is that it is the same old, same old Labor government. For the whole 20-plus years I have been here it has always been the same old, same old Labor government. They have now fluked a second term, and it is still the same old, same old Labor government in their second term. Nothing has changed, nothing has been learned.

Spin trumps substance—we saw that in the Governor-General’s reply speech. What a droning reply to the Governor-General’s speech that was. It was full of cliches, trivia, fillers and repeats. This is the same old, same old, where the truth is trumped by lies. We saw that with the Prime Minister before the election when she said that there would not be a carbon tax. Now we have a carbon tax policy this side of the election, thanks to the Greens. The same old, same old; when factional power rules over merit for ministry promotions.

We see it here right across the front bench. Time does not permit me to go through each one of them, but let’s just say that Senator Sherry was overlooked for a failed climate change minister. And a minister once called in this place a political hoon, who was at the centre of the pink batts disaster, has not lost his ministry at all. In fact, I think he got promoted because he backed the Prime Minister. Of course, I am talking about Senator Arbib. And so, on it goes. I see Kate Lundy is on the front bench—Senator Lundy, for goodness sake.
The whole appointment of the ministry was a shambles. And the announcement of the ministry was a shambles. They left out the ministry of education; they spread it over three portfolios, which is just a recipe for disaster, turf wars and confusion within the public service. And we have two cabinet ministers who are there by the grace of blackmail. If one of them should ever have got the sack, it is Mr Garrett. It is a dysfunctional administration and it just gets worse, with its coalition and the selling of its soul to the Greens.

Senator Forshaw, wait till the workers of the western suburbs of Sydney and Melbourne get a load of you, the Labor Party, selling your soul to the Greens—to a bunch of wackos who are after their jobs. The soul of the Labor Party is the workers. Give me a nod on that if nothing else. The Labor Party has sold its soul to the Greens for the sake of power, and the Greens are off to a flying start. Social policy is up and running on euthanasia, an issue that is seminal to the Greens. They are at the heart of the government’s policy-making. They will dictate policy, too, and it is quite easy to see how they have been dictating policy to date—for example, same-sex couples. They have been just as diligent in the economic area—for example, the return of the carbon tax and the mining tax. I heard Senator Ronaldson raise the issue of death duties. The Greens have always been very open about this policy. Labor has always been very desirous of it, but now they have found their scapegoat to introduce death duties. This is one to watch, even post July.

The DEPUTY PRESIDENT—Order! Senator Collins.

Senator Brandis—You won’t rise to it, though, Senator Collins!

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations (3.09 pm)—Indeed, Senator Brandis, I am quite happy to follow that contribution because, of course, this opposition’s unfounded accusations occurred earlier in today’s debate on the Governor-General’s speech. The ideological raves that have just occurred in question time, the unfounded accusations and attacks on the standing of the Governor-General, cannot be allowed to go unchallenged. Anybody listening to today’s question time would have seen it deteriorate even further after Senator McGauran’s contribution just now. He talks about a list of falsehoods. He talks about the same-old, same-old and he talks about the spin. Yet what we have seen is just sheer blatant scaremongering, again. During question time I had sent down to me a copy of the Labor Party-Greens agreement. Let us look at the provisions in that which pertain to policy, just so we can deal with the facts. The first issue of policy is indeed climate change, and let me read it for the record:

That Australia must tackle climate change and that reducing carbon pollution by 2020 will require a price on carbon. Therefore the parties agree to form a well resourced Climate Change Committee.

The other major issue of policy that is in the agreement—and the only other major issue of policy that is in this agreement—is on dental care. So where is this scaremongering really taking us? It is taking us to this coalition-opposition trying to conceal the debacle of their lack of policies and their very poor costings in the lead-up to the election. We are accused of a lack of transparency. I think Senator Abetz during question time challenged me as to whether I had read any of the red book. Under freedom of information we did make available the red book, but what is more interesting is what is outlined in the blue book. In terms of pressures on the future and cost of living issues of Australians, the
blue book is very interesting. Firstly, on the point of transparency, let me show you an example of one critical page of the blue book, and I hold it up for you to see.

My, my, what is blank? What have the opposition blanked out before they released this to the press gallery? What likely sensitivities have they blanked out in their paid parental leave policy? They have blacked out the likely implications for the very few people that would actually benefit other than very high income families. Secondly, they have blacked out the cost implications of this extraordinarily extravagant scheme. And, thirdly, they have probably blacked out the impact of the 1.5 per cent levy or tax that the opposition were proposing to impost on Australian large businesses. That would be my guess of what is blacked out, but the opposition talked about transparency. Here, there is no transparency at all.

This was the key policy area of the opposition leader, Mr Abbott. He had this fantastic policy to show that he related well to women and that he was a sensitive new-age guy. When you look at the recklessness involved, the National Party—coalition members—would never have supported it. Had the Liberal Party made government, they would never have supported it. It was simply a fraud. People wonder why Tony Abbott has captured the phrase ‘the gospel truth’. This was a fraud.

The DEPUTY PRESIDENT—Order! Senator Collins, you must refer to a member in the other place by their proper name.

Senator JACINTA COLLINS—I am sorry, Mr Deputy President, I should say Mr Abbott. I think I did the first time. People wonder why Mr Abbott has attracted the phrase ‘Phoney Tony’. I think that would be an appropriate way to deal with that point.

The DEPUTY PRESIDENT—I will let it through

Senator Back—You will have to eat those words, Senator Collins!

Senator JACINTA COLLINS—No; I do not think I am the first person to say it. Phoney was indeed the problem—or the fraud was indeed the problem—in this particular issue. I look forward to seeing more areas of the blue book. The blue book will tell us much more.

Senator Brandis—Mr Deputy President, I rise on a point of order. I think presidents and other presiding officers have ruled before that to accuse a member of the other place of fraud is unparliamentary.

The DEPUTY PRESIDENT—Yes, I listened carefully, Senator Brandis; I do think that is unparliamentary, Senator Collins, and I think you should withdraw it.

Senator JACINTA COLLINS—I withdraw, if that is taken from my comments, but I was indicating—

Senator Brandis—You can’t qualify it.

Senator JACINTA COLLINS—that the policy was a fraud. That is why there is so much blank space in the blue book excerpts that have been released to the press gallery. So, in conclusion, today we had a scaremongering campaign over the Greens-ALP agreement, which does not allude to many of the policy areas that were highlighted—(Time expired)
Senator HUMPHRIES (Australian Capital Territory) (3.15 pm)—Returning to the motion before the house to take note of questions asked today by Senator Abetz and Senator Bernardi, I was particularly struck by the response that Senator Abetz’s question elicited from the Leader of the Government in the Senate, Senator Evans. Senator Abetz asked a very sensible question about what legislation was discussed by the Prime Minister and Senator Bob Brown in the meetings that had been organised pursuant to the agreement between the Greens and the ALP. Senator Evans was asked what proposals had been submitted for costings, what public servants Senator Brown had been given access to and what agreements had been reached beyond 1 September. The minister’s response was less than encouraging. He was very dismissive, very casual, almost cavalier, about those meetings: yes, there had been meetings and, ‘We’ll announce something in due course; what’s your hang-up about these issues?’

I think that position is deeply concerning and quite unacceptable. There was a singular lack of transparency about a process which is at the very heart of how this new, re-elected, minority Labor government will work. I ask senators to contrast that with the situation that would have operated pursuant to the agreement between the Greens and the ALP. Senator Evans was asked what proposals had been submitted for costings, what public servants Senator Brown had been given access to and what agreements had been reached beyond 1 September. The minister’s response was less than encouraging. He was very dismissive, very casual, almost cavalier, about those meetings: yes, there had been meetings and, ‘We’ll announce something in due course; what’s your hang-up about these issues?’

So it is fair for Senator Abetz to ask: what precisely do the Australian community and the Senate have in front of them to understand what mechanisms are at work in this government to involve the Greens and, for that matter, the Independents in the other place, who have a formal or informal role in the government of Australia? Senator Abetz’s questions went to those issues. What is it that we can have to indicate what influence the Greens and other parties are exercising on the decisions of the Gillard Labor government?

Senator Evans was very dismissive of that: ‘None of your business. Go away. The conversations are confidential.’ But I think we need more than that. We need to be able to see exactly what has been the input of parties like the Greens and what has been the outcome in terms of the government’s decisions. I accept we are on new ground, I accept that there are no precedents for this position, but that is not an excuse for making it up as you go along. If non-government members and senators have a privileged position within the Australian government, if they exercise unprecedented influence on the decisions of the government, by virtue of an agreement they entered into to guarantee that government supply and support against no-confidence motions, then we need a mechanism to reveal precisely what that influence is. And that was not evident in anything that Senator Evans said in his answers to Senator Abetz’s questions. That is very disturbing. It is of course the opposite of transparency and openness.
The deal-making with the Greens and parties in the other place that no doubt will go on in the ranks of this government is apparently not to be put on the table in a way that we can all see it, and that fills me with a great deal of trepidation. I think, if this government is going to be serious about this new position it finds itself in—a position it obviously does not welcome but nonetheless is in—where it has accepted the support of other parties to give it power, then it should be honest with the Australian people about what that means and how that influence on the government is actually exercised. That was the purport of Senator Abetz’s question, and it was not answered. If we do not know how these processes will work in future, we are entitled to assume the worst—and the worst coming from the Greens will be very bad indeed.

Senator FURNER (Queensland) (3.20 pm)—I rise also to participate in today’s debate on the motion to take note of answers given by the Leader of the Government in the Senate, Senator Evans. In particular, I want to focus on the comments made by the opposition about the IMF report and interest rates. Today, the International Monetary Fund released its article IV concluding statement, strongly endorsing this Labor government’s responsible economic and fiscal management. We should put that in perspective, given we have just gone through one of the worst financial crises this country and also the world has ever seen. We entered that period of darkness with a $42 billion stimulus package and we are on the path to recovery due to that package. In doing that, we stimulated the economy and we protected jobs. We protected working families. We protected people who at the time were in need. Also, on the back of that, we increased pensions and pension rates. So, all in all, in the last period of government, a Labor government performed in an economically sound way, in every shape or form.

To stand in this chamber and to claim that in some way we are irresponsible for what we have done for working families is incorrect and not a statement that should be taken for granted and accepted by the wider community. In taking that decisive action and by implementing that stimulus package, we are now on that path of strict spending discipline and we are on a rapid return to surplus in less than the period that we initially felt we would. In less than three years from now we will be in a position where we will be returning the budget back to surplus. We have put a very strong fiscal consolidation in place and we are once again tracking the delivery of that, bearing in mind that around about 1960 was the last time we were in this situation. That is why the IMF has basically endorsed our economic plans to meet the challenges of mining boom mark 2.

Interest rates is an interesting area and an interesting debate that should be had. The limited time that I have this afternoon prevents me from going into much detail. Obviously, everyone in this chamber knows that interest rates are a matter for the independent RBA. We are not going to speculate, nor should we and nor should anyone in this chamber, on future movements. Our focus will be, rather, spent on implementing those economic plans and tackling the capacity constraints that were left unattended in the mining boom mark 1. We also know that, while our economy and job creation is strong, mining booms will also bring significant challenges in capacity and high dollar demands. That is why we are making historic investments to expand our capacity and why we are investing in transport infrastructure, NBN, skills and education.

I spoke widely yesterday in particular about the Building the Education Revolution.
Some people really need to get out and experience what is happening in schools and see the joy and satisfaction of those children, those parents and those citizens. Principals and teachers are telling me when I open those Building the Education Revolution initiatives of how they are improving their education. It is not just the children but the community at large that, on the back of those initiatives, are getting opportunities not seen before. I wish some of those people on the other side would go to some of those openings. In Queensland I have been fortunate to have Peter Slipper, the new Deputy Speaker over in the other house, come along to one opening and he was so overwhelmed and so happy with attending an opening he wanted to be in a photograph with me.

Senator Brandis—I don’t believe that.

Senator FURNER—I will send you a copy of that, Senator Brandis. I would love to send you a copy because I sent it to Peter Slipper, and he is happy. I am sure he has got it pinned up on his notebook in his office. Closing on interest rates, I want to make this final statement and it is all about this inconvenient truth—the inconvenient truth of our having the highest interest rates. We should go back to a period when I understand, as reported, interest rates were 21.4 per cent when John Howard was the Treasurer of the government. (Time expired)

Senator BACK (Western Australia) (3.25 pm)—Mr Deputy President, thank you for the opportunity to comment on the responses by Senator Evans to this place during question time. It is entirely appropriate for the people of Australia to want to know what the preferences deal was between Labor and the Greens leading up to this last election. It is all well and good for now Prime Minister Gillard and Senator Bob Brown to say they did not know what they were, but I can assure you that the Australian people deserve and want to know what they were. For the record, there are six Labor members in the other place, including the Treasurer of this country, who are there as a result of Greens preferences. In July next year there will be one Labor and one Greens senator joining us in this place as a result of those same preferences. It is duplicitous of Senator Evans to not even want or attempt or try to answer the questions in relation to the cost of living. They were entirely reasonable questions and deserving of an entirely reasonable answer.

Let me just take the attention of two or three policies of the Greens that are going to have a dramatic impact on the wellbeing of Australians and on the cost of living. The first is the demand by the Greens that there be removed the 30 per cent and, in some cases for older Australians, the 40 per cent health rebate. What is that going to add to the cost of living for Australians? Let me give you this understanding now. Despite the relatively low cost to the economy of private health insurance, 40 per cent of all patients in this country are treated in the private sector and 60 per cent of all surgery is undertaken in the private sector, yet the government, according to 2007-08 figures, contributed only $1.7 billion through rebates whereas they had to contribute $31 billion to the public health system. If and when the Labor government, driven by their Greens partners, do remove the private health rebate, what impact is that going to have on costs of private health and on availability in the public health sector, which, as we know, is already heavily under pressure?

The second point that I draw to the attention of the chamber is the demand by the Greens that we wind down support for the Catholic and independent schools sector, remove all further funding for capital works and take anything away from so-called wealthier schools. Let me tell you what the statistics are in this country, whether you
support private education or not. The cost to the taxpayer of every child in a state school in this country is $12,600. The cost to the taxpayer of children in private schools—Catholic and independent—is $6,600, the difference being $6,000 per child that the taxpayer is saved by having them in Catholic and independent schools. The cost in WA alone is $780 million a year saved as a result of parents putting their children in Catholic and independent schools. It is some $780 million in WA and $7.5 billion nationally. Those are the sorts of increases in the cost of living we are going to see in this country if and when the Greens get their power with the Labor government. What they are doing sitting on the crossbenches and not over on the Treasury bench is absolutely unknown to me.

In the time available to me, I now come to the increase in the cost of power and other utilities that is going to accompany this madness associated with the increase and the tax on carbon. It is completely and utterly without any validity for us to go through this process, but let me assure the chamber that as we move to areas such as some of these renewables which are unsustainable—the Scandinavians are already going away from wind power—we have not yet had the opportunity to investigate the real cost. Take the cost of green jobs, for example. In Spain, a country which is now in economic denial and demise, there are at least two jobs lost for every green job saved.

And it is not just the cost of living; it is going to be the cost of dying. Add that to the families beyond as the Greens death duties come into play. We heard that comment in this place earlier; it is now the time for this Labor government to tell the Australian people the truth.

Question agreed to.

Green Start Program

Senator MILNE (Tasmania) (3.30 pm)—I move:

That the Senate take note of the answer given by the Minister for Finance and Deregulation (Senator Wong) to a question without notice asked by Senator Milne today relating to the Green Start program.

I want to talk about not the Green Loans program, because that has now finished or is winding down to the finish, but the Green Start program which is its replacement and begins at the end of the year. My big concern here is that all of the problems identified by the Faulkner report and by the Auditor-General’s report will just carry over into the Green Start program unless we get them sorted out, and I did not get an answer from the minister today about how they are sorting them out.

One of the big issues that the Auditor-General raised—and it was recognised in his report—was that the assessment tool that the assessors are using to determine the best combination of energy efficiency in a particular household is wrong. It is calibrated incorrectly. That means people are getting reports that are wrong and therefore they are spending money on this energy efficiency—whatever the report says—and it is not delivering them the best outcome. We do not want that rolled over into a new program. It has to be fixed up.

Secondly, the Auditor-General pointed out that the overwhelming majority of household assessors have been trained by unregistered training providers. There is a complete unevenness. Some are brilliantly trained and some are very badly trained. But the point is that they all paid about $3,000 for their training and it was the luck of the draw as to whether the person who trained them was any good or not. So now those people have a certificate, but it does not mean anything
because it is not benchmarked against any particular quality controlling standards and those people are probably in the bidding right now for contracts under Green Start. It means that we are just going to repeat all the same problems over again unless we have some benchmarking of the training.

Furthermore, one of the big problems with Green Loans also was with people out there cold-calling, just knocking on the door, saying, ‘I am an assessor. I can do an assessment,’ or ringing up and accumulating a whole lot of clients to take this government program to. That has been banned under Green Start, but I am told that some of the companies that have put in for a contract under Green Loans are already out there, as we speak, getting on the phone, cold-calling, because they know it is going to be illegal once Green Start starts. They are now amassing a database in anticipation of getting the contract. This will be grossly unfair to the independent contractors, individual small businesses that may get awarded a contract under Green Start, get started and then find that some of these companies have already got a massive database in order. My issue is: we should have learned a lot from the failures under Green Loans and I am concerned that nothing is going to be done before we start with the new Green Start program and that this time next year we are going to be back here with another Auditor-General’s report saying that all the things that went wrong with that program have now carried over.

Finally, the Auditor-General made it clear that governance in the department was absent. It is an appalling thing to have to admit that in the department of the environment that was overseeing this program they just did not have appropriate governance processes in place and, as a result, the scheme was badly managed. Furthermore, the minister was not given timely or accurate advice. In other words, the department actually conned the minister, it would seem. What else can you say? They told the minister things were in place when they were not. They told the minister that things were being done when they were not. They even told him about the online booking system—yes, it was all due to start—and it had been cancelled for six months. This sort of thing went on in the department. How is that possible?

So I want to be sure that senior management understand that this time they had better oversee project management properly so that we actually sort out the problems with Green Loans before Green Start begins. And for those government ministers who are listening to me talking about this, for goodness sake get it right this time before it starts. It is a very important program for low-income earners and for energy efficiency and I want to see it work and work well and not be back here next year having to admit it failed.

Question agreed to.

AUDITOR-GENERAL’S REPORTS

Report Nos 10 and 11 of 2010-11

The DEPUTY PRESIDENT—In accordance with the provisions of the Auditor-General Act 1997, I present the following reports of the Auditor-General:

Report No. 10 of 2010-11: Performance audit: Centrelink fraud investigations

Report No. 11 of 2010-11: Performance audit: direct source procurement

DOCUMENTS

Tabling

Senator LUNGYD (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (3.36 pm)—I table the report of the independent review on the impacts of the new job seeker compliance framework.
TAXATION
Return to Order

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (3.36 pm)—

I table a statement relating to the order for the production of documents concerning the Henry tax review.

DOCUMENTS
Tabling

The Clerk—Documents are tabled in accordance with the list circulated to senators.

Details of the documents appear at the end of today’s Hansard.

Departmental and Agency Grants

The following document was tabled pursuant to the order of the Senate of 24 June 2008:

Departmental and agency grants—Budget (Supplementary) estimates—Letter of advice—Australian Organ and Tissue Donation and Transplantation Authority.

Unproclaimed Legislation

The following document was tabled pursuant to standing order 139(2):

Unproclaimed legislation—Document providing details of all provisions of Acts which come into effect on proclamation and which have not yet been proclaimed, including statements of reasons for their non-proclamation and information relating to the timetable for their operation, as at 20 September 2010, dated September 2010.

COMMITTEES
Membership

The DEPUTY PRESIDENT—The President has received letters from party leaders nominating senators to be members of committees.

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (3.37 pm)—by leave—I move:

That senators be appointed to committees as follows:

Gambling Reform—Joint Select Committee—

Appointed—Participating member: Senator Fielding

New Taxes—Select Committee—

Appointed—

Senators Bushby, Cormann, Fifield and Williams


Reform of the Australian Federation—
Select Committee—

Appointed—

Senator Fielding.

Question agreed to.

ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES
Membership

The DEPUTY PRESIDENT—The President has received a letter from Senator Lundy resigning her place as a member of the Advisory Council on Australian Archives.

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (3.38 pm)—by leave—I move:

That, in accordance with the provisions of the Archives Act 1983, the Senate elect Senator Faulkner to be a member of the Advisory Council on Australian Archives for a period of 3 years, on
and from 30 September 2010, in place of Senator Lundy.

Question agreed to.

EMISSIONS TRADING SCHEME

Senator CORMANN (Western Australia) (3.39 pm)—At the request of Senator Fifield, I move:

That the Senate notes the Gillard Government’s decision to blatantly break its unequivocal commitment to the electorate not to introduce a carbon tax.

Labor are addicted to spending, which is why they are addicted to new taxes. Whenever there is an issue, whenever there is a challenge, whenever there is something that Labor think needs to be addressed, there is only one solution—whack on a new tax. In the last term of government we were told that there was a binge-drinking epidemic. What was the solution to that? A 70 per cent increase in the tax on alcopops, ready-to-drinks. At the time we asked: where is the evidence that this tax will actually do anything to address this problem? There was none. In fact, around the world there was evidence that this tax would not work and now the evidence is here in Australia as well. We have got evidence that the alcopops tax has failed. We had Kevin Rudd in the lead-up to the 2007 election—

The DEPUTY PRESIDENT—Order! Senator Cormann, you must refer to a person by their proper name.

Senator CORMANN—We had Mr Rudd in the lead-up to the 2007 election talk about the greatest moral challenge of our time, about the need for Australia to help reduce global greenhouse gas emissions. What was his response to that challenge? Just another great big new tax. They called it, in Orwellian fashion, the Carbon Pollution Reduction Scheme. When you looked at the detail you saw there was quite a process because they wanted to make it look like they had actually thought this through. We had a green paper, a white paper, Treasury modelling and a range of other bits and pieces floating out there, including the Garnaut review report. Ultimately they said that Australia should set up this great big Carbon Pollution Reduction Scheme, which essentially was the chosen method at the time to impose a price on carbon.

Australia is an economy that is in competition with economies around the world. We have businesses and industries that compete with equivalent businesses and industries around the world. For Australia to go down the path that was proposed by the then Prime Minister, Kevin Rudd, would have actually made no difference to the stated objective of reducing global greenhouse gas emissions, yet it would have done significant damage to our economy. What Labor proposed in the last parliament would have pushed up the cost of everything, it would have put pressure on our economy and it would have cost jobs. It would have increased the cost of living and it would have increased electricity prices. And all of that for no beneficial outcome for the environment in terms of reducing global greenhouse gas emissions. Our businesses that compete in the global environment access electricity from coal fired generators. If we reduce emissions in Australia in a way that increases emissions in other parts of the world then really we have asked Australians to make a sacrifice with absolutely no environmental benefit whatsoever. That is what the Labor Party wanted to do in the lead-up to the last election.

As the debate developed there were a lot of attempts to keep things secret. I remind the Senate that to this day the Treasury modelling that tried to downplay the impact of the Carbon Pollution Reduction Scheme on our economy has not been released, so we never actually got the true picture. A whole range of assumptions in that Treasury model-
ling were false. For example, one assumption was that the United States would have an emissions trading scheme in place by the end of 2010. We now well know that that is not going to happen. It was never going to happen. There was also the assumption that China would have an emissions trading scheme by 2015 and that India would have an emissions trading scheme by 2020. That was never going to happen.

There were a lot of ups and downs in the debate, but clearly, at the end of the day, all the government proposed was a great big new tax on emissions that was not actually going to help reduce emissions. It was a new tax with supposedly a deserving objective—the objective of helping to reduce global greenhouse gas emissions. It was not actually ever going to help achieve that objective. As the debate progressed—as we approached the election, as the pressure on the government increased and as the scrutiny imposed by this Senate forced the government to reconsider—what happened? Kevin Rudd backed down in the face of an election. Understanding the increasing levels of concern across the community, Kevin Rudd backed down. Then he made a few other mistakes trying to pursue yet other taxes without any evidence, like the mining tax. In relation to the mining tax the problem was that the mining industry, in the then Prime Minister’s view, was too successful. He came to Western Australia and said, ‘We’ve got a two-speed economy. We’ve got to have this mining tax to slow the Western Australian economy down.’ That was the then Prime Minister’s approach to the mining tax. And of course he lost his job in the wake of all of that.

So what did the new Prime Minister, Julia Gillard, say when it came to emissions trading, when it came to addressing the greatest moral challenge of our time and when it came to Australia’s commitment to helping to reduce greenhouse gas emissions? She said there would not be a carbon tax over this next term of government. We are always very suspicious when it comes to Labor prime ministers making commitments because these Labor Party leaders come up with all sorts of pre-election commitments which they then do not follow through on once they get elected—in particular when it is in relation to taxes. I am just going to go through student taxes for a moment. This was another tax on which, before 2007, the Labor Party said, ‘No, we’re not going to introduce student taxes,’ and then of course after 2007 they did. And yesterday they reintroduced a punitive proposal to impose taxes on students across Australia.

Let us get back to the carbon tax. On the Friday before the election the Prime Minister, Julia Gillard, stated categorically:

I rule out a carbon tax.

That was on the front page of the *Australian* on 20 August. The reason she said that was that she knew she had to say that in order to scrape in at the election on 21 August. The reason the Australian people turned against this government is these sorts of stunts. They made promise after promise before the 2007 election and then they broke them after that election. People were absolutely disgusted with this government for their broken promises, for their failure and for their incompetence, and they punished them for it. The Rudd Labor government got into trouble because of their broken promises and because they were a bad government. The Julia Gillard led government nearly lost the election because people were unsure as to whether that government would be any better. Of course, the evidence is starting to come in. This is a seamless transition from broken promises to broken promises, from incompetence to incompetence, from more taxes to more taxes. This is a high-spending govern-
ment addicted to more new taxes, and the Senate, on behalf of the Australian people, has to stand up against this government's high-taxing agenda. A big new tax does not solve the problem just by whacking on a tax.

I will just go through some more prime ministerial quotes. Julia Gillard, on 16 August, said on Channel 10:

There will be no carbon tax under the government I lead.

Wayne Swan, on Meet the Press, on 15 August 2010, said:

Well, certainly what we rejected is this hysterical allegation somehow that we are moving towards a carbon tax …

Does that sound familiar? It reminds me of the promises made before the 2007 election that a Rudd Labor government would retain the existing private health insurance rebates and that allegations by the Liberal Party that the government had a secret agenda to get rid of them were hysterical. It is the same thing here. Again, on 12 August on The 7.30 Report, Treasurer Wayne Swan said:

We have made our position very clear. We have ruled it out.

Julia Gillard, of course, as we all know, has now broken that promise. I will quote Julia Gillard from 16 September. This is after the election and after she was able to—

The DEPUTY PRESIDENT—Order, Senator Cormann! You must refer to the Prime Minister by her proper title.

Senator CORMANN—The Prime Minister, Ms Julia Gillard, after she was able to scrape in by cobbled together an unholy alliance in the other place, was asked by the media about the carbon tax. This is what she said:

PM: Look, we've said we would work through options in good faith at the committee that I have formed involving, of course, the Greens, and it's my understanding that Mr Windsor will also seek to participate in that committee. We want to work through options, have the discussions at that committee in good faith.

JOURNALIST: So you're not ruling it out then?

PM: … I just think the rule-in, rule-out games are a little bit silly. …

So before the election she categorically ruled out a carbon tax. Her Treasurer categorically ruled out a carbon tax. Yet after the election, when asked whether she was going to fulfill that ironclad guarantee of there being no carbon tax under a government she leads, she says it is a silly game to her ask that question. Julia Gillard has made it clear that a carbon tax is now on the table. Whatever you want to call it—whether it is a carbon tax, whether it is an emissions trading scheme or whether it is any other mechanism to impose a price on carbon—it will just be another tax. It will be a tax that will push up the cost of living, that will increase the price of electricity and that will hurt working families across Australia.

The New South Wales government, for example, has admitted that a carbon tax would mean a short-term additional 25 per cent increase in electricity prices. That is on top of significant increases already in the cost of electricity over the past few years. I make this observation: when the Prime Minister, the day before the election, can make such a black-and-white statement and give an ironclad guarantee that there will be no carbon tax under her government, only for her to put it on the table immediately after the election, how can anyone trust what this Prime Minister has to say? This is exactly the problem that Mr Kevin Rudd had in his government and it is exactly the reason he got into trouble before the last election. Labor, of course, are using the hung parliament as an excuse for a carbon tax. They talk about political reality, that we have got to face the new paradigm. I would say that Kerry O'Brien was right, though, when he asked Greg Combet on 22 September: ‘But what
does that do to the Prime Minister’s credibility after her very clear, unequivocal statement on the eve of the election, “I rule out a carbon tax”? A good question. The Australian people are still waiting for an answer; we still have not had it.

We had this absolute fiasco in the lead-up to the election. There were three things that the new Prime Minister, Julia Gillard, was going to fix: the mining tax, the failure to protect our borders and the quagmire that the government got themselves into over climate change. In the lead-up to the election, in order to get herself past the election and neutralise the issue politically, she came up with the proposition of setting up a citizens assembly of 150 people chosen at random to have a bit of a chat about how to address climate change. It was the policy that you have when you don’t have a policy. It was a process to get herself past the election. Immediately after the election, she sets up a committee with a predetermined outcome. Everybody who goes onto that committee has to agree that there should be a carbon tax, whatever way you want to describe it. People who go onto that committee have to agree with a price on carbon, which ultimately, in the absence of an appropriate global agreement among our trade competitors or partners, is just another great big new tax.

For the Labor Party’s electricity tax committee, the third term of reference states that the committee is established on the basis that a carbon price is an economic reform that is required. So there is no open question. They are just going to work out who they are going to whack most. I read in the media that Professor Garnaut was going to be asked to update his report to the government and this particular increased electricity tax committee. While they are at it, I think they should also ask Treasury to review its modelling, because it is now obvious that the Treasury modelling was based on completely flawed assumptions. We now know that the US will not have a carbon tax or an emissions trading scheme in place by the end of 2010, as the government had assumed. So the government’s assessment of the impact of a carbon pollution reduction scheme or a carbon tax—or whatever they call it—on jobs, the economy, the budget, the cost of living and the price of electricity was substantially underestimated. That is very clear, and I would suggest that the government knew that at the time. The government had a political objective to make it look as if the impact of a carbon tax or an emissions trading scheme was going to be minimal. When I asked Treasury officials during one of our committee hearings about why they had chosen assumptions which lacked complete credibility, the answer I was given was: ‘We chose those assumptions at the direction of the government.’ So it was a political decision. The government had an agenda to make it look as if they could sneak in a price on carbon without hurting anyone.

Senator Cameron over there, who pretends to care about working families, should be really concerned about this. He should be concerned about the impact of a carbon tax on working families across Australia. He should be concerned about what it will do to the cost of living. He should be concerned about what it will do to the price of electricity. He should be concerned that working families across Australia will be asked to make a sacrifice for no proper benefit. Australians care about the environment. We want to make our contribution to help reduce global greenhouse gas emissions. But if we ask people to make a sacrifice it ought to be on the basis that that sacrifice will actually make a difference. The government knows that, in the absence of an appropriately comprehensive global agreement, reducing emissions in Australia in a way that increases
emissions by more in other parts of the world does not make a difference, yet the cost of living pressures will be suffered by working families across Australia anyway. That is not an appropriate way to conduct public policy in Australia.

I was very concerned that the Rudd government was very secretive. Despite any suggestions in the lead-up to the election about openness and transparency, the Rudd government was a very secretive government. It was very hard to get any information out of the Rudd government. Indeed, Prime Minister Gillard must agree with that because when she became Prime Minister she said, after the election, that she had learnt her lesson and there was going to be a new era of—guess what?—openness and transparency in government. Operation Sunlight was mentioned. You can guess my surprise when I heard about Operation Sunlight. That was a term that the then finance minister, Lindsay Tanner, used in December 2008. It was all talk and no action then, and it is still all talk and no action. They cannot even change the slogans they use. They used Operation Sunlight then without following through; they still use Operation Sunlight. At least change your names if you want to make it look as if you are now fair dinkum about openness and transparency. This committee which the Prime Minister has set up is going to be a secretive committee: it ‘will ensure that its deliberations and papers remain confidential’. What’s that all about in terms of taking people with you?

I am running out of time but I will just say: there is a better way. There is the direct action way. There is a way to reduce emissions in Australia that does not increase them in other parts of the world, and that is the coalition’s way. That is the way that I commend to the Senate.

Senator CAMERON (New South Wales) (3.58 pm)—I find it quite bizarre to be lectured by Senator Cormann on the needs of Australian working families when Senator Cormann in this place supported Work Choices and supported the ripping away of workers’ rights on the job, resulting in lost pay and conditions for workers right around this country. So I do not take kindly to a lecture about working families from the extreme side of the coalition that is epitomised in Senator Cormann.

It is also a bit hypocritical to be lectured about broken election promises by the party who invented core and non-core promises. It is a bit rich, I must say. What we have decided to do is accept the reality of the election outcome. We have decided to accept what the Australian public were telling us, and that was that they wanted change. We had a position on climate change going to the election that the public were not happy with. We have listened to that. We paid a heavy price for not being in tune with those Australian families who want to take a long-term view of the economic and environmental issues that face this country. It is families with kids and, like me, with grandkids, who want to make sure that we leave not only a strong economy but an environmentally sustainable country and world. We heard nothing from Senator Cormann about the real issue of climate change.

Climate change is here. Climate change is real. Climate change requires a response, and this government is prepared to do that. We are prepared to take on the fear campaign that was mounted by the coalition extremists—the campaign that brought down their leader, Malcolm Turnbull, because he was in tune with the emerging view of Australian business and the view of Australian public: climate change is real and requires a price on carbon to deal effectively with it.
I go to the latest analysis that I can find in relation to the environmental issues that we are facing—again, something that Senator Cormann did not address. He spoke in the abstract. He spoke as if climate change were not an issue, as if all we were having was some esoteric debate about a price on carbon. Not once did he mention the reality of climate change—a reality that many on the coalition side, including their former leader, Mr Malcolm Turnbull, accept. The document is called *The Copenhagen diagnosis: updating the world on the latest climate science* and is dated November 2009. You should listen carefully to what leading Australian scientists are saying about the need to take action on climate change. They said in their principal findings that greenhouse gas emissions are surging. Global CO2 emissions from fossil fuels in 2008 were nearly 40 per cent higher than in 1990. Even if global emissions are stabilised at current rates, 20 more years of emissions would give a 25 per cent probability that global warming will exceed two degrees Celsius. For all the climate change deniers—all the extremists—on the other side, these are the issues that you have to deal with. The scientists are telling us along with Mr Turnbull and senior economists in this country that every year of delayed action increases the probability of damaging climate change in this country.

Recent global temperatures demonstrate that global warming is human induced. There is no argument about this anymore. The only argument we hear is from the extremists and the wreckers in the coalition who want to make short-term political points in relation to climate change. The report goes on to say that over the past 25 years temperatures have increased at a rate of 0.19 degrees Celsius per decade, in lockstep with predictions based on anticipated greenhouse gas emissions. The greenhouse gas emissions are increasing exactly as was analysed and predicted. Over the past decade, despite a decrease in solar forcing, a warming trend continues. The globe continues to warm. Natural short-term variations are occurring as usual, but there is no change in the warming trend. Senator Boswell will need to address these issues. It is no use coming up here with your fear campaigns, your rhetoric and your nonsensical arguments. You must deal with the factual position that the scientific community in Australia and the scientific community worldwide have found: global warming is real, global warming is dangerous and global warming needs to be addressed. That has resulted in the melting of ice sheets and ice caps, and the melting of both ice caps and glaciers is accelerating. All available measures demonstrate beyond doubt that both the Greenland and Antarctic ice sheets are losing mass at an increasing rate.

Summer melting of Arctic sea ice has accelerated far beyond the expectations of climate models. The area of sea ice melt in 2007-8 was 40 per cent higher than anticipated by the IPCC assessment report for climate models. Satellite data demonstrates that the global average sea level rise of 3.4 millimetres a year over the past 15 years is about 80 per cent greater than previous IPCC predictions and is consistent with a doubling in contribution from melting glaciers, ice caps and the Greenland and West Antarctic ice sheets. I did not hear a word about that from Senator Cormann. It will be interesting to see what Senator Boswell says about these scientific facts that are there before the political decision makers of this country.

The report goes on to say that by 2100 global sea level is likely to rise at least twice as much as anticipated by Working Group I of the IPCC Assessment Report. For unmitigated emissions, sea level rise may exceed one metre by 2100, with an upper limit of about two metres. These are not scaremongers. These are reputable, highly respected...
scientists, and they say sea levels will continue to rise for centuries, even after global temperatures have been stabilised. Several metres of sea level rise must be expected over the next few centuries. Who will have to face this several metres of sea level rise? It will not be the extremists in the coalition who are trying to oppose change and action to deal with this. It will not be you. It will be the children, grandchildren and future generations who will have to deal with our lack of action on these issues due to the blocking and irresponsible actions of the coalition. If sea levels do rise that amount, it will destroy billions of dollars worth of property and infrastructure along the coast of my home state of New South Wales, including central Sydney. The Thames barrages would become inoperable and central London would be submerged along with major cities around the world, including New York City, Amsterdam, Buenos Aires and Mumbai.

This is not a fear campaign by me. This is the scientific analysis, and the facts are being put forward by the leading scientific community in the world. They argue, along with the economists who deal with this issue, that delaying action risks irreversible damage. Vulnerable elements of the global climate system, including the Amazon rainforest, the West African monsoon and continental ice sheets, could be pushed towards abrupt, irreversible change if warming continues unabated through this century. The risk of passing through tipping points increases strongly with ongoing climate change. Standing still, waiting for higher levels of scientific certainty than the very high degree of certainty that currently exists, risks transgressing tipping points before they become apparent to us. The time for action is now. If global warming is to be limited to a maximum of two degrees Centigrade above preindustrial levels, global greenhouse gas emissions must peak between 2015 and 2020 and then decline rapidly.

According to the current science—and understand, Senator Boswell; it is the science—if we are to stabilise the climate, average annual per capita emissions around the world need to be below one ton by 2050. This represents reductions in the order of 80 to 95 per cent below 2000 levels in the developed countries. No amount of dissembling, no amount of rent-seeking and no amount of ignorance dressed up as pseudoscientific scepticism will change these facts. That means we need to start reducing our carbon pollution levels now.

In this area the government has three priorities: first, to continue our strong support for renewable energy; second, to promote energy efficiency; and, third, to work towards the introduction of a carbon price. We will do that in the face of the scare campaigns that will be mounted by the extremists and the wreckers in the coalition. We will not back away from this commitment. We will stand up for future generations, something that the coalition are not prepared to do. Deep in your heart and deep in your scepticism you know that the most efficient way to reduce carbon pollution levels, as we have all heard but only you choose to ignore, is through a market mechanism, in particular the development of a carbon price. A carbon price is a key economic reform that is in the nation’s interests. It will provide an incentive to reduce pollution levels. It will unlock investment in renewable energy. It will unlock investment in low emissions technology. It will generate certainty for business. It will position this country well for our long-term economic competitiveness.

The Treasury had this to say about this particular issue in the blue book that was recently issued:
The introduction of a pricing regime will support strong long-term growth by steadily transforming the economy instead of imposing sharp, more costly adjustments in the future. This is a key economic reform in respect of which it is important that we build consensus for such a public policy position.

The Treasury went on to say:
Whatever approach is taken to limit national emissions, it is also in Australia’s national interest to rely overwhelmingly on market based mechanisms—in respect of both mitigation and adaptation.

These are the market based mechanisms that have been denied and abandoned by the coalition who claim to be the bastion of market based policy in this country. The Treasury goes on to say:
Introduction of a pricing regime will support strong long-term growth by steadily transforming the economy instead of imposing sharp, more costly adjustments in the future.

A carbon price is mainstream economic thinking. That is not where the coalition is. We watch and see now the fear campaigns, the rhetoric, the denial and backflips that have taken place and the coalition now being marginalised more and more in mainstream economic and political thinking in this country. Sadly, the coalition is no longer prepared to be part of the mainstream. You are at the outer levels of real thinking on this because the coalition have been taken over by the climate change deniers, the climate change sceptics. There are economic wreckers leading the coalition at the moment epitomised by your leader, Mr Tony Abbott, who thinks that climate change is crap. That is where you are, on the outer on this issue and you should not be trying to occupy the fringes of thought on policy on climate change. Let me tell you where you are. I have been getting emails. I have emails that were promoted and supported by the coalition. I got an email from a Mr RS of Mascot. He says:

Please don’t let this ETS go through as it is just an excuse to create a world government.

This is where you guys are. You are in this world government area. This is where your mainstream support is in relation to climate change. A Mr Steve G says:

If sea levels really are rising; why did Al Gore buy WATERFRONT property in San Francisco at the same time as he's making a documentary on Global Warming; why did the Queensland Government buy WATERFRONT land to build a Hospital on the Sunshine Coast.

From a Ms JH:
Disgracefully, the science underpinning climate change/global warming theories had been doctored and falsified and therefore cannot be relied on.

I am not sure that Ms JH is a climate scientist. She may have heard Senator Boswell in one of his rants in parliament on this issue and suddenly become a sceptic, a denier and a wrecker, the same as the coalition. Then we have a Mr James G:

Man made global warming is one of the biggest scams pulled on the world. It is just an excuse to bring in world government and you can’t have a world government without a global tax to fund it.

From a Mr Slade:

You lot of communists will be punished for this.

This is where you are. This is where the coalition is. This is your constituency on global warming and climate change. We are going to change this. We are going to get a consensus and we are going to make sure that the people in the coalition who actually believe in this like your former leader, Malcolm Turnbull, have an opportunity to bring some common sense to the coalition.

I was part of the Senate Select Committee on Climate Policy. In that Senate select committee we had the chair, the Hon. Richard Colbeck, Senator the Hon. Ron Boswell, Senator Michaelia Cash, Senator the Hon. Ian Macdonald and we had Senator Abetz,
Senator Fisher and Senator Joyce make appearances from time to time. This is the committee’s view, the view of those senators except for Senator Michaelia Cash. It says: The balance of the evidence discussed above suggests that climate change is occurring, is driven by anthropogenic factors and is a grave threat to accustomed ways of life and natural systems. If this view is right, the calculations above make a virtually unarguable case for taking global action. Senator Boswell, you signed off on that. The only one who had the courage to change it was Senator Michaelia Cash. (Time expired)

Senator BOSWELL (Queensland) (4.18 pm)—Let me just clarify a couple of things. Senator Cameron suggested that the Labor Party won the election. It is on the record that the Labor Party is sitting in government, but if the people had their will, if the people had their say, things might be different. The people of Lyne and the people of New England make up the two most conservative seats in Australia, with a Labor Party vote of eight per cent in New England and 13 per cent in Lyne. New England has had one Labor member, in 1913. If those members had voted the way their electors wanted and the way those electors will in the next election, we would be sitting over there and you would be sitting over here.

That is not going to happen. We live by a system; I recognise the system. They made the decision against the will of the people. I accept that and all you can do is suck it in and take it. But let us put it on the record that an electorate with an eight per cent Labor vote voted for the Labor government; Mr Windsor put a Labor government in with a vote for the Labor Party in his electorate of eight per cent. Mr Oakeshott with a vote of 13 per cent for Labor in his electorate voted for a Labor-Green government. Let us put that on the record first.

I opened this debate many years ago. Some things have changed and some things remain the same. I remember when I asked a question, Senator Wong lectured me that we were in the middle of a drought and she had to do this for farmers. The farmers would respond and thank them. Things have changed. Dams were then at 17 per cent; they are now at 97 per cent full. The Murray is flowing. It has rained. Australia is harvesting its biggest wheat crop ever.

The thing that has changed is that the Greens have formed an alliance with the government. Whether it is an alliance, a coalition or an agreement, in this nation the de facto deputy prime minister is now Bob Brown. Bob Brown is the deputy prime minister of this country.

The ACTING DEPUTY PRESIDENT (Senator Crossin)—Senator Boswell, I need to remind you that you need to refer to senators in this place by their proper title.

Senator BOSWELL—I will do that, Madam Acting Deputy President. The government went to the election with a commitment: ‘There will be no ETS and no carbon tax.’ It went to the election with that commitment. On a billboard very close to my home, there was a picture depicting the Green candidate saying, ‘We will not backflip on a carbon tax.’ I knew then and there that we were going to get a carbon tax if the government were elected. Why did I know that? Because I knew the government would not have the guts to stand up to the Greens. It has never had the guts to stand up to the Greens, and the problem is this: the Greens have got stronger and stronger and stronger and the government has got weaker and weaker and weaker till it is at the point where it cannot win an election without the Greens, so it has to bow its knee to the Greens every time. Every time there is a toss-up or argument between the Greens and
the government, you can put your money on the Greens: they will always win.

That is why I knew there was going to be a carbon tax. The carbon tax is back on. We are going to have a committee to examine it. Everyone on that committee has to be a signed-up ETS supporter. That committee will burn the clock down till the Senate changes, and then when the Greens get the balance of power in this house we will come down with a carbon tax. There is no doubt about it in my mind, because the Greens once again will win. It is the blue-collar workers that will lose, and their jobs will be on the line, but the Labor Party considers them just voting fodder. Let me issue a warning to the Labor Party. Let me illustrate what happened in Queensland when the Labor Party decided to thumb its nose at the blue-collar workers and close their fishing grounds, something the blue-collar workers could understand. What happened? Every seat down the coast bar one fell to the Liberal National Party. You are riding into another storm like that.

This is the problem I have with Senator Cameron’s proposition if we go down this track and listen to what he says and what the report says. I can come up with as many reports as he can that will defy exactly what was in that report. The reports are out there. The icecaps are melting; the icecaps are building up. The sea is rising; the sea is falling. Temperatures are going up; temperatures are going down. You can get just about any report you want. But let us assume for the sake of argument that Senator Cameron is right. I do not accept it, but let us say that he is right. I have an open mind on it. Let us say that he is right. We could reduce our emissions to nothing tomorrow and it would not make the slightest bit of difference to the temperature of the world or the climate changes in the world. That is where I have this basic argument. What are we going to do? Penalise our own industries, sack our own workers, destroy our industries and destroy our way of life for nothing?

I want to refer to an article in the *Sydney Morning Herald* after the Copenhagen conference. The article says:

On his return from Copenhagen, the Indian Environment Minister, Jairam Ramesh, told Parliament his mandate had been to protect India’s right to fast economic growth, and listed killing off binding targets to reducing emissions as a key victory for his country. Does that sound as if we are going to head for universal climate controls right across the world? He then said:

… Brazil, South Africa, India and China—had worked to protect the rights of the developing world.

How can we, as sensible Australians that are responsible for the economic wellbeing of this country, say there is going to be a world commitment on climate change when Indian members of parliament are proudly saying that they stopped this in Copenhagen?

But let us not even worry about India. Let us put India aside for a moment. In the last couple of weeks in America, the biggest economy in the world and a country that is aligned to us in many ways, during the election campaign they had a vote in the Senate. There is an article in Green Energy Reporter headed ‘Senate Democrats kill cap-and-trade bill’. It says:

Cap-and-trade is officially dead. This afternoon Senate Democrats—

not the Republicans but the Democrats—

in a caucus meeting, decided not to pursue legislation that would seek to cap carbon and other greenhouse gases by pricing them, a market-friendly scheme known as cap-and-trade.

So America has walked out on it. These are the Democrats, the people that pursued climate change policy. They cannot get their votes. While it is true that a filibuster pre-
sented a high barrier for any climate energy action, the reality is that Senate Majority Leader Harry Reid might have struggled to get 51 per cent support for the stronger bill, because Democrats from various areas, such as John D. Rockefeller, Evan Bayh from Indiana and many other Democrats, have seen that it would penalise jobs for their workers.

This is the Green tail wagging the government dog. The Greens are wagging the dog. There is no chance at all that India, China or Brazil can do this. They cannot do it. America has a 10 per cent unemployment problem—9.6, to be accurate—and it will not move. The government has tried many ways to shift it, but it is locked in at 9.6 per cent. Do you think that the American Congress and Senate are going to be so stupid to drive that 9.6 per cent unemployment upwards? There are going to be huge changes in the mid-term elections, and no-one is going to be that stupid and increase the unemployment rate.

Senator Sherry, you know this, I know it and so does every other person who is sensible in this parliament. How can India, with its poverty and its people living in squalor—living in cardboard boxes or near open sewers—penalise its own industry and increase its already probably 20 per cent unemployment? Its mission must be to get its people reasonably well fed, accommodated and clothed. That must be its priority.

But, no, the Labor Party thinks that magic is going to happen in the world and that every country in the world is going to sign up. If you could guarantee it, or if you could accommodate it—if you could make it work—then you may get some support on emissions trading. But the unfortunate thing is that it is not going to happen. All we are going to do is penalise our own workers, penalise our own industries and penalise the primary industries. And to what avail? So we can say, ‘Australia led the way. We led the way in this brand new world that Senator Brown wants to take us to’—as deputy prime minister of this new government. It is a world of higher taxes, taxes on mining, taxes on carbon, increased costs for transport, no new coal mines and no refurbishment of the existing coal mines.

But you can say this for Senator Brown: he is totally wrong. He has no concern for anyone else. He will always be able to get a quid; he is a doctor—he can hang his shingle out and get his couple of hundred thousand a year—but he has no consideration for the rest of the people. But at least he sticks to his guns. You guys cannot stick to your guns. You do not know whether you want to back this. You do not want to back it. You backed out of it because you could see a catastrophe coming in the election and then you got cold feet. Now you want to back it again. You are on a hiding to nothing. If you could confirm that the rest of the world will do it then I think you would have some chance of doing it. But there is as much chance of that as an ice cream existing in hell. It just will not happen.

If Australia wants to go ahead, we are going to fly solo. Not many people in the rest of the world will follow us. You will put a carbon tax on mining, have no new coal mines, increase transport costs and introduce gay marriages. This is the world where no other nation wants to go. The Labor Party does not want to go there, but they are being dragged along by the junior member of the coalition. It is being dragged along to where the tail is wagging the dog.

If we go down this path, we are going to go virtually on our own. We are going to penalise every industry in Australia. We are going to penalise our high standard of living. We are going to penalise our four per cent
unemployment level. We should all be overjoyed that we have got that. The government claims that the stimulus package got us out of trouble. We claim that we paid all the debt off and left a float in the till. Maybe there is bit of truth in both. But what keeps Australia strong? What is our forte—our strength? Why do we have this low unemployment? I suggest it is because we have industries. We have export industries getting our minerals out to the world at the lowest possible cost and in the most efficient way that we can meet the market, and they employ hundreds and thousands of people right across this great nation.

We can process bauxite into aluminium. But we have got to do it with low power costs. Already, with the threat of this new tax one of the aluminium companies has said, ‘We’ve got to stop and think a bit before we put another project into Western Australia.’ We have got to allow BlueScope and OneSteel to be able to meet competition coming in from cheap Chinese steel mills. They make a better product, but we have got to allow them to exist. We cannot handicap them by putting a tax on and making a higher cost of electricity. The town of Whyalla depends on it.

We have got to be able to let our industries compete. The dairy industry, the cattle industry and the processing industry for both of them employ hundreds and thousands of people right across regional Australia, and the last ETS was going to penalise them severely. These industries are already struggling under a high dollar. It is due to great mining prospects, but it is penalising these industries that we need to employ people.

I reiterate: unless we have a reasonable degree of knowing that the rest of the world is going to come with us we are going to achieve absolutely nothing. We are not going to reduce the CO2 emissions. If we close down the new coal generators tomorrow then in six month’s time the new coal generation in China would take out every bit of gain that Australia has made and sacrificed for. What is the point of this? Why are we going to do this? What will our achievement be if the rest of the world does not follow? Why do we have to penalise our workers? Why do we have to penalise regional Australian manufacturers of cheese, milk powder operators and Goulburn Valley dairy companies? Why do we have to do this? It is because the Greens want it, and the government is not strong enough to stand up to them.

There is an old axiom: ‘He who feeds the tiger gets eaten last.’ And you, the Labor Party, have come within one seat of being eaten. If there had been a true indication of what the people wanted, and the member for Lyne and the member for New England had voted the way their people had elected them to vote, you would have been eaten. You have had a near-death experience. I would advise you not to ever touch this. You have seen what happens when you ignore the blue-collar worker. You saw it in Queensland. You saw the blue-collar workers say, ‘Hey, I don’t mind the Labor Party, but when the Labor Party joins the Greens it’s time for us to get out and vote for the coalition.’ And that is exactly what happened—every seat fell, bar three or four. You put one hand in the fan and lost all its fingers, and now you are going to put your other hand in the fan and you will lose all those fingers too. You are on a hiding to nothing. Unless you can get a world commitment on this, drop it like a hot cake.

Senator PRATT (Western Australia) (4.39 pm)—I welcome the opportunity to speak to this motion, because it is important for this chamber to be clear about the difference between the Labor government and those opposite when it comes to climate change. There is a huge gulf between the two. The Labor government acknowledges
that climate change is real, and has been and will continue to be willing to take action on climate change.

Senator Boswell remarked on developing countries struggling to feed and clothe their citizens. What Senator Boswell failed to acknowledge is that these are the very people who are most vulnerable to the impacts of climate change. You need only look at the devastating floods in Pakistan, and to see the terrible impact that is having on millions of people, to appreciate that for us to be, as a developed nation, contributing to such catastrophes—as the science of climate change shows we have the potential to do—is a catastrophic thing. So I am pleased that the Labor government and the nation are acting on this important issue. Those opposite, you can continue to stick your heads in the sand about climate change and be climate change deniers. Because of your continued denial of climate change and its impact, you have no real solutions or ways of addressing what is a really serious and critical issue.

The Labor government accepts the climate change science that shows climate change is occurring. We accept that carbon pollution is causing climate change. We also know that our economy and our environment are at great risk of harm from climate change. That is the basis of our action. We believe the best and most efficient way to reduce carbon pollution is by putting a price on carbon. A price on carbon is an important reform for the Australian economy and it is an investment in the long-term future of our environment, our people and our economy. We know that there are sound economic reasons for putting a price on carbon. A price on carbon will create an incentive to reduce the level of pollution that we create. It is not a tax, unlike the opposition’s policies, which will need to be funded through taxes. It is a market-driven incentive to reduce the level of pollution that we create.

Australian businesses are calling for certainty. They know a price on carbon will create certainty for them. That certainty helps encourage investment in this country. We know that a price on carbon will help drive investment in renewable and low emission technologies and that this will help ensure our economy remains competitive. That is the reality: more jobs, especially in renewable and low emission technologies; more jobs to strengthen the economy and build a sustainable environment. But we cannot do this without consensus—a consensus that builds support for the implementation of a carbon price.

We have a number of policy options on the table that have been debated in the Australian community, but it is important to achieve a community consensus on a carbon price and the timing for its introduction. I am really pleased that we have taken a new direction on climate change that will see Labor establish the Multi-Party Climate Change Committee, as recently announced. It is a committee that is charged with helping build consensus on how Australia will tackle climate change, a committee made up of representatives from around the parliament. And the government has extended an invitation to representatives from the coalition, the Greens and independent members of parliament.

What Senator Boswell failed to acknowledge in his comments about the recent election was that the very problem of climate change is one of the reasons why some of those Independents chose to back the Gillard government. They know that it is a significant issue that their electors and other Australians want to see action on.

The Multi-Party Climate Change Committee will be chaired by our Prime Minister, and our Minister for Climate Change and Energy Efficiency, Greg Combet, will be its
deputy chair. I am pleased that Greens senator Christine Milne will serve as co-deputy chair. I am also pleased that Mr Tony Windsor has already indicated his willingness to be a member of this committee. As members of parliament we will all have a chance to engage with our colleagues through this committee and discussions on these important issues. We know we must act with urgency if Australia’s contribution to the climate crisis is to be addressed, but we must also debate this issue thoroughly and get our response right. We now have an opportunity, one that we must act on. It is a new opportunity to explore options for the introduction of a carbon price—an opportunity that the coalition has been invited to participate in and one that it has rejected, choosing to keep its head in the sand and oppose meaningful action on climate change every step of the way. It is a crying shame, because I know that there are good members of the coalition who believe in the importance of addressing this issue.

As I said, I am pleased that Mr Windsor has agreed to participate in the committee. He made it clear that climate change, along with the NBN, was a major reason in his decision to back the Gillard government. He understands that climate change needs to be addressed and he has acknowledged the significance of the Garnaut review’s contribution to Australia’s discussion of these issues. It is interesting to look at Mr Windsor’s deliberations on a carbon price, his having voted both for and against the government’s CPRS legislation. I think this demonstrates his willingness to come at this with an open mind and engage with us on the issue of setting a carbon price. I would have thought that those in the coalition were in a position to do this too, considering their own record of support for a carbon price in the past. It would be terrific if the coalition were prepared to bring their own ideas to the table, because we know that what this country needs is a lasting consensus on climate change, one which will empower us to take action for the sake of our climate and the planet but also, vitally, for the sake of our economy—for, without a price signal on carbon, we will continue to invest in old technologies and carbon-intensive industries that will not adapt to and change with the times. We are currently failing to keep up with moves made by other nations to make their industries climate competitive. If we do not do this, it will result in the loss of thousands of jobs around the nation. Yet again, Mr Tony Abbott wants to play the role of wrecker on this critical issue.

The government have always been clear that we believe climate change is real, we believe in tackling climate change and we believe that the best way of doing that is by putting a price on carbon. The reality is that no party has a majority in their own right on this issue and we are going to have to work together to achieve an outcome in the national interest. That is why we are pursuing this option of a committee. I think it is a significant mechanism to help us deliver a carbon price. We have to have consensus on this issue so that we can make what is a much-needed and sensible economic reform. It is a reform that taxpayers and businesses are demanding from us. This is in stark contrast to the opposition’s position. It is vital that we have people coming together from a broad section of the community to test their ideas so that we can find a way forward. I note that part of one of the committee’s terms of reference is:

…provide advice on, and participate in, building community consensus for action on climate change.

I note also that the question of a citizens assembly on climate change is now a matter for the committee—similarly, the question of a price on carbon in Australia.
The opposition accuses the government of breaking election promises. It is a ridiculous assertion. As members of this place you all know that our capacity to implement any legislative policy is dependent on the will of the two houses in this parliament. If we are too rigid, if we do not listen to and learn from each other, we will never make progress on these critical issues, because we will be precluded from negotiating and making compromises in the national interest. It is time for all parliamentarians to start looking at these issues afresh and get on with tackling climate change. We the ALP, the Greens and the Independents are willing to undertake this task; but, sadly, the coalition is a no-show. Frankly, the climate change committee represents an opportunity for the coalition to put forward its policies too, but you refuse to engage and play ball.

We know that it is important to engage on the question of a carbon price. We have to create an incentive to reduce pollution, an incentive to drive investment in renewable energy and low-emission technologies, and an incentive for business, government and all citizens to change our behaviour. Importantly, Australia needs to provide certainty for business, to keep our economy competitive and strong. If we fail in this mission, if we fail to put a price on carbon, then the longer we delay the greater the economic cost. The government knows it and the business community knows it, but it is something that the coalition flat out fails to acknowledge.

The Barnett government’s decision to raise power prices by 46 per cent is hitting Western Australia’s most vulnerable. WA households are applying for emergency assistance to pay their soaring electricity bills at nearly three times the rate that they were in 2008-09. In contrast, as demonstrated by the relief provided within our previous CPRS, Labor knows that vulnerable consumers must be protected from electricity price rises as we adjust our economy. That is something the coalition fails to acknowledge. Labor will always protect the interests of low-income earners in making these necessary and vital economic reforms. Under our previous scheme, the average weekly impact of the carbon price forecast by Treasury was going to be $12. In turn, we had proposed household assistance packages to address this problem, to fully offset for low-income households the estimated impact of these increases. If you have the Barnett government, a Liberal government, in Western Australia behaving in this way, who do you trust to take care of consumers who are most vulnerable to these increases?

The coalition has no policy to compensate or help low- and middle-income earners with rising costs caused by their inaction on this issue. Just like the Barnett government, what the opposition intends is a big price shock when, after many years of coalition delay, we will suddenly find ourselves playing carbon catch-up—hitting consumers hard. This will compound the pain of Western Australian
families if we do not provide an efficient incentive for investing in low-emissions electricity generation. The coalition are being economically and socially irresponsible. They are being socially irresponsible for failing to accept mainstream economic thinking and failing to take action on climate change.

To compound this irresponsibility, Australians will have to pay more tax for the coalition’s so-called direct action plan. The coalition have proven just how bad and just how inefficient their direct action policies can be. They proved this when they were in government, when they promised over $400 million over four years for 11 million tonnes of abatement. Instead, they spent only $132 million and achieved an abatement of just four million tonnes.

In contrast, we know a carbon price is a major economic reform that will create an incentive to reduce pollution. It is about driving investment in renewable energy and low-emission technologies. Business leaders in Australia understand that this is an important economic reform that we must make. We must make it so that we can be internationally competitive over the long term. Our industries must become less carbon intensive, and the best way of doing this is by establishing a carbon price in the economy.

Businesses need certainty. They need certainty so they can plan ahead with confidence. Delay is currently costing Australian industry. They need to know the form of a carbon price. Currently, businesses in Australia are calculating a great deal more risk into their investment decisions. What does risk equal? It means Australia is more expensive than it needs to be; it means less investment and it means fewer jobs. We know the longer that we delay the greater the adjustment cost, which is why business leaders around Australia are calling for action. That is why we can no longer delay. The Australian people know this, the Labor government knows this, and Australian and international business know this. Just ask BHP Billiton’s CEO. He said:

To remain competitive in a future carbon-constrained world, Australia will need to turn into a lower carbon economy.

Business Council of Australia President Graham Bradley said there ‘will inevitably be the need for a market based mechanism that will give us the lowest cost approach to reducing the carbon intensity of our industries’.

I ask: why would those opposite want to wreck the government’s plan to take steps to move us closer to a lower carbon economy when we know that the Labor government are taking a responsible course of action by looking at getting a carbon price into our economy? The government are not approaching this issue with a closed mind but with openness, ready to engage with our colleagues, ready to engage with the people of Australia and with a willingness to approach this issue to create a consensus. The other members of the committee are willing to do this too. Mr Abbott and his team, by not being part of this, are seeking to wreck the process and they are being economically irresponsible because what we need now is a way forward together, a way forward for our environment, for our community and for our economy. I call on those opposite not to knock it but to join us. (Time expired)

Senator IAN MACDONALD (Queensland) (4.59 pm)—I think that everybody in this chamber knows that Australians absolutely despise liars, and they despise more those unmitigated liars who deliberately tell untruths. Australians are embarrassed when our standard bearers overseas are known by our overseas friends as unmitigated liars. And, rightly, we are all embarrassed when we find that we are now led by a Prime Min-
ister who simply cannot discern what the truth is.

Madam Acting Deputy President Boyce, I will just give you a couple of quotes. In an interview on 10 May, Neil Mitchell said:
So will you promise you will not be the leader at the next federal election?
And the respondent said:
I can, completely. Neil, this is, you know, it makes good copy for newspapers but it is not within cooee of my day to day reality. You may as well ask me am I anticipating a trip to Mars. No, I’m not, Neil.
And who said that? It was Julia Gillard, the person who 13 days later participated in one of the most brutal political executions in this country, after promising just 10 days earlier that she would not be the leader of the Australian Labor Party.

On 17 May Julia Gillard was quoted as saying:
... there’s more chance of me becoming the full forward for the Dogs than there is of any change in the Labor Party.
Yet six short days later she actually became the leader of the Labor Party, after the most brutal backstabbing known in Australian political history.

On 14 May, in an interview with Chris Smith, she was asked:
Now the NAPLAN issue is a second, but I first want to talk to you about when you are going to become Prime Minister, firstly. Has there been a Hawke-Keating or a Howard-Costello deal done with Kevin Rudd yet?
Julia Gillard replied:
No, no. Nice try but no news. I know we’ll be welcoming Jessica back to Sydney this weekend after her round the world epic feat. I tell you there’s more chance of me going around the world sailing solo a dozen times than this chatter in the media becoming anything more than that.

There are three deliberate examples of untruthfulness from the person who is now our Prime Minister.

So we go to the election campaign and the subject of this debate before the parliament at the moment, the imposing on Australians of a carbon tax by the Greens-Labor alliance. On the Friday before the election Ms Gillard deliberately and emphatically said:
I rule out a carbon tax.
On 12 August the Deputy Prime Minister, Mr Swan, was equally unequivocal when he told Kerry O’Brien in answer to a question about whether there would be a carbon tax:
We have made our position very clear. We have ruled it out.
On 16 August, five days before the election, Ms Gillard stated on Channel 10:
There will be no carbon tax under the government I lead.
Yet here we are, a few short weeks later, debating—and we will be debating in this parliament in the very near future—the imposition of a Labor Party carbon tax.

It is one thing to promise verbally just before an election and break the promise verbally a few days later. In this case, though, our Prime Minister went even further and not just verbally broke her promise but signed her name to a document that said:
Australia will reduce carbon pollution by 2020 and this will require a price on carbon.
That is the written agreement with the Greens political party signed by our Prime Minister. How can any Australian trust anything this person says? She has shown that she simply is incapable of understanding the truth and keeping her word and her promises.

In relation to the carbon tax, my view on emissions trading schemes and carbon taxes has always been the same. I confess that I do not know whether greenhouse emissions are causing climate change. I have always ac-
cepted that there is climate change—it changes all the time. That is a given. But is it carbon emissions that are doing it? I do not know. I have said time and time again that the world’s 10,000 top scientists are split about fifty-fifty on the cause of global warming or climate change, so I do not get into that.

What I say is that, if the rest of the world is doing it, Australia might as well do it too. We will keep pace and keep faith with the rest of the world. But if Australia does it before the rest of the world, all we do is put a financial impediment on all of our industries, on all of our exports, making them less competitive overseas, therefore returning Australia less income and reducing the standard of living of all Australians. It is such a no-brainer, Madam Acting Deputy President. Why would you penalise Australia’s economy and our way of life and our standard of living for absolutely no benefit to the environment? Until China and the United States and Russia actually do something—they are the big emitters; remember Australia emits less than 1.4 per cent of the world’s carbon emissions—nothing we will do will make any difference to the changing climate of the world, if that is the cause of it. Until the major emitters do something, Australia taxing itself will only mean Australians will lose. This was the point that the coalition made in the 12 months before the election.

I refer my colleagues in the Labor Party to some results in the recent election. I will mention a number of electorates: Flynn, Dawson, Herbert, Durack, O’Connor, Grey and Capricornia. I ask Labor members what those seats have in common. I will tell you. All of Australia’s mining industries are in those seats. I will tell you what happened in those seats in the election. In Flynn, which is a very important mining and minerals-processing town, Labor lost the seat in a landslide and it was won by the Liberal-National Party. What happened in Dawson, another seat that is very reliant on mining industries? Again, it was lost by Labor and won by the coalition. Herbert, which is a big minerals-processing town that has a lot of fly-in and fly-out miners, was lost by Labor and won by the Liberal-National Party. What happened in Durack, the big Western Australian seat that contains most of the Pilbara and the Kimberley? The Labor vote in Durack was 24 per cent. The Liberal-National vote in Durack was 62 per cent. That seat contains the most substantial amount of Australia’s mining industry. In the electorate of O’Connor the Labor Party could not even come second in the poll; they came third with 17 per cent of the vote as opposed to 67 per cent to Liberal-National Party.

The Labor Party do not understand that miners, blue-collar workers do not like emissions trading schemes and do not like carbon taxes. If I were being political, I would say, ‘Bring it on,’ because the only two seats which Labor holds north of the Tropic of Capricorn would fall to us in a shot. In the seat of Capricornia—one of the few seats that Labor holds—which contains all of the big Bowen Basin mining towns, Labor’s vote went backwards by eight per cent. There was a massive swing against the incumbent Labor member of some eight per cent.

I refer my Labor friends to the mining town of Moranbah, which is a big unionised town that is full of traditional unionists and Labor supporters. What happened in the last election in Moranbah? Labor’s vote plummeted by about 10 per cent. Doesn’t that mean something to the Labor Party? People do not want a carbon tax that will only impact on their standard of living and have no positive benefit for the environment.

I refer senators to the electorate of Kennedy, which is a very substantial mining electorate. I quote here the Senate results
because you would appreciate that this is the seat that Mr Katter won as an Independent. For the Senate in Kennedy the Labor Party vote again crashed by 10 per cent and they ended up getting only some 26 per cent of the vote. People might say that that is because Ingham, Innisfail and the Atherton Tableland are seen as being traditionally conservative. I want to point out the results in the Senate in the polling booths in Mount Isa. Everybody knows that Mount Isa is a big mining town that is full of miners, blue-collar workers and traditional supporters of the Labor Party. What happened to the Labor Party Senate vote in Mount Isa? The Labor Party got 32 per cent of the vote and the Liberal-National Party got 37 per cent. So even in the heartland territory of the Labor Party their vote plummeted in places like Mount Isa.

Similarly, in Cloncurry, a town that is substantially involved in and reliant on mining. Labor got the massive sum total in the Senate of 27 per cent, as opposed to the Liberal-National Party, which got 41 per cent. What happened to the Labor Party vote in Charters Towers, which, again, is a town that is very reliant on mining and has a lot of miners living in it? The Labor Party got a princely 28 per cent of the vote, as opposed to the Liberal-National Party, which got some 43 per cent.

The Labor Party must understand that their traditional supporters—the unionists and the blue-collar workers—do not believe, as I do not, that a carbon tax is good for Australia. Why are the Labor Party bringing back an emissions trading scheme or a carbon price after their leader promised faithfully on the Bible before the election that there would be no carbon tax? I digress by saying that you could see the relief on the faces of many of my friends in the Labor Party on the other side of the chamber when we defeated the emissions trading scheme. Perhaps the next speaker will confirm or deny what I say. It is a case of no name, no pack drill in these committees, but I know there were many Labor senators who were desperate for us to knock off the emissions trading scheme legislation because they knew what it would do to them politically and they knew that their union members, who have traditionally supported the Labor Party, did not want it and do not want it now.

So why are the Labor Party, when they know all of this, now, contrary to Julia Gillard’s solemn promise before the election, going to bring in a price on carbon? It is because they have reached this unholy agreement with the ultra left-wing political party in this parliament: the Greens.

Those of us who follow history know that years ago in Europe and in Asia parties of the extreme Left were called the Communist Party. They realised that, as the world got more wealthy, no-one would be interested in their extreme left-wing economic and social ideology. So what did they all do? They said, ‘We need to get votes. We want to stay in power. We know that nobody is at all interested in our ultra left-wing economic and social philosophies anymore. So we’ll take on the mantle of something that people do like: animals and trees.’ And so the Greens political movement across the world was formed. It was formed from those ultra left-wing people who realised they would never succeed politically with an ultra left-wing platform but they might just succeed if they hid those ultra left-wing economic and social philosophies behind the facade of looking after the environment. Now the Labor Party have got into bed with this ultra left-wing faction of the Left of Australian politics.

The Greens care little for Australia’s economy. They care little for the standard of living we enjoy so much in this country through hard work and effort. The Labor
Party are being led along by this ultra left-wing group to introduce this carbon tax. The Labor Party know, as I do, that they will never have any success electorally in their traditional areas whilst they embrace the carbon tax or ETS; call it what you will. They know that their members, as I do, see how futile it is to destroy our standard of living for no benefit for the environment. And so to retain power, power for power’s sake, the Labor Party have agreed to ignore their traditional supporters, ignore their traditional base and go along with the Greens in their crazy left-wing radical agenda—just so Ms Gillard can remain as Prime Minister and all of her team can have the quite substantial trappings of office.

It is power for power’s sake; it is remaining in power to have the glory and indeed the rewards of being a minister and of running the government. To retain that power and to retain those personal embellishments, they are prepared to sup with the devil to bring in policies which they know will be bad for Australia—and many of my friends on the other side know that a carbon tax will be bad for Australia. We will, I predict, in the next several weeks or few months have again an uprising of that popular vote—that popular voice that was so prominent when the Labor Party’s last attempted emissions trading scheme was around. Australians will not stand for this, and the people will let their voices be heard.

I love my country; that is why I am opposing the carbon tax. If I were being maliciously political then I would encourage the Labor Party to do this because I know that politically it would be great for our side of politics. But I do not want it to happen because I do not want to be part of destroying the sort of lifestyle and the fabulous economy that this nation has. I would certainly hope that those listening to this debate will make it known to their Labor member, if they can find him or her, that this is not on for Australia. It should be put aside. Ms Gillard should be made to honour her promises. (Time expired)

Senator FURNER (Queensland) (5.19 pm)—It gives me great pleasure this afternoon to rise in this debate to discuss with Australians the need to take action on climate change and to defend against Senator Fifield’s motion:

That the Senate notes the Gillard Government’s decision to blatantly break its unequivocal commitment to the electorate not to introduce a carbon tax.

Climate scientists tell us that carbon pollution is causing climate change. It is a reality. It has been published. It has been covered in many inquiries now and circulated in many journals and the media. Greenhouse gases absorb heat from the sun in the atmosphere and reduce the amount of heat escaping into space. This extra heat has been found to be the primary cause of observed changes in the climate system over the 20th century. These changes include increases in global average air and ocean temperature, widespread melting of snow and ice and rising global sea levels. The extra heat in the climate system has other impacts such as affecting atmospheric and ocean circulation, which influences rainfall and wind patterns. We have seen a lot of that recently not only on our continent but also across the globe—for example, in Pakistan.

As a senator for Queensland I know first-hand how climate change could have a devastating effect on the environment, the economy and prosperity in my state. Queensland is known for its golden beaches, its sunshine and of course the Great Barrier Reef. The Great Barrier Reef covers close to 350,000 square kilometres and is the only living thing on earth visible from space. It is of great significance to Queensland and Australians and
is protected as a marine park. It has been a World Heritage area since 1981.

The Great Barrier Reef is home to more than 4,000 mollusc species, about 1,150 fish species, most of the world’s marine turtle species, the dugong, dolphins and whales. The tourism industry supports 53,000 jobs and brings $6.9 billion into the Australian economy. I want to digress slightly from the subject of the Great Barrier Reef and refer to a speech delivered in the other house by the member for Tangney, Dennis Jensen. It is one of my favourites because it goes to the type of suggestion for dealing with climate change that the opposition believes in. That member said:

Just off the top of my head—
so it is not a well thought out plan to fix global warming—
I can think of two.
First he says we could have aerosols and global dimming. I do not know where the dimming came from—probably off the top of his head. Then he goes on to the most absurd suggestion I have ever heard, and that is:

... what about some sort of shadecloth put in orbit?
This is a member of the opposition in the other house, talking about putting some sort of shadecloth up there. I do not know how you would get it there. Maybe he is relying on My Favourite Martian or maybe the Robinsons of Lost in Space to get the shadecloth into space. These comments and ideas are coming from no doubt an educated person—
he is a doctor. This is the type of suggestion we are getting from the opposition on dealing with climate change.

I cannot even comprehend how inaction would affect my beloved state. If the temperature rises we will lose our Great Barrier Reef. We will lose the marine life that makes this natural wonder of the world a world attraction. If the sea levels rise we will lose our golden beaches. If temperatures soar, our agricultural industry will be destroyed. Soaring temperatures would affect those sensitive to the heat, including our ageing population. Tropical diseases and pests would spread across the country and would be detrimental to our health.

This is not just about Queensland. This is a global issue. Already we have seen the outcry from our Pacific neighbours. Last year I recall having a delegation come to my office in the seat of Dickson. They were Pacific islanders from Tuvalu, Kiribati and Micronesia. They came to bring to my attention the climate change that is affecting the small islands out in the middle of the Pacific. When you talk about sea level rises of half a metre you would not bat an eyelash, but if you live in a Pacific island this is a very serious problem. Rising sea levels are causing their islands to decrease in size, being swallowed by the ocean, and flooding is becoming all too familiar. Because of this, their water is being contaminated by the saltwater, and their farming industry, which many of these islanders rely on to survive, is being greatly affected. The higher waters are making their way into some of the islanders’ homes, which is of huge concern for the welfare and safety of residents as well as of their property.

If all those reasons are not enough to compel those opposite to act on climate change and support the government in wanting to take action, then let us look at some facts. A strong economy depends upon a sustainable environment. Australia’s economy and environment are at great risk from climate change. That is why the government will continue its strong support for renewable energy, to promote greater energy efficiency in industry and households and to work towards the introduction of a carbon price. The government believes the most effective and cost-effective way to achieve...
reductions in carbon pollution is through a price on carbon. Putting a price on carbon is a significant economic reform of the Australian economy and is an investment in our long-term future. The economic and environmental case is clear: a carbon price will create the incentive to reduce pollution, drive investment in renewable and low-emission technologies, create certainty for business investment and ensure our economy remains internationally competitive in the long term. This reform will therefore create jobs, strengthen the economy and build a sustainable environment. As the Treasury said in their blue book recently:

Whatever approach is taken to limit national emissions, it is also in Australia’s national interest to rely overwhelmingly on market-based mechanism—in respect of both mitigation and adaptation.

It also said:

Introduction of a pricing regime will support strong, long-term growth by steadily transforming the economy instead of imposing sharp, more costly adjustments in the future.

This is something the business community understands. As Marius Kloppers, the CEO of BHP Billiton, has said:

To remain competitive in a future carbon-constrained world, Australia will need (to) turn to a lower carbon economy.

By taking no action, AGL and the Climate Institute have found, the uncertainty caused by the delay in a carbon price would cost the economy and consumers up to $2 billion a year in higher electricity prices or around $60 per household in 2020.

The Labor Party have always supported taking action on climate change and we have been denied that by this chamber three times. But the reality is, and from the unexpected results of the election and the increase in protest voting, that it is clear the Australian public wants action on climate change—and that is what we have set out to do. The landscape has changed, but we have always been clear that we believe in climate change, that we believe in tackling climate change and that the best way to do that is by introducing a price on carbon. While no party holds a majority, it is important for us to work together and take notice of what the public has told us. We have to work together in the nation’s interests to achieve change. That is why we established the climate change committee to look at the best way to deliver a price on carbon. This will be an important mechanism that will help us deliver on the outcome of a carbon price. The committee will properly examine the issues around a carbon price, and the government is determined to introduce an economically responsible reform. It is important that we build consensus around this issue so that we can make the sensible economic reform that taxpayers and the business community, people such as Marius Kloppers, want us to make.

Our approach stands in stark contrast to the negative and opportunistic position of the Leader of the Opposition. We all know that he thinks climate change is, in his own words, ‘absolute crap’ and that he opposes the consensus on climate science. We are now discovering that he also opposes sensible economic reform—reform that the business community is pushing. Such a position may help him as Leader of the Opposition, but it demonstrates that he is not fit to manage our economy.

The Labor government has engaged in a number of consultative processes on climate change and I was privileged to be included in the Senate Select Committee on Climate Policy, as was the previous speaker, Senator Macdonald. Ten hearings were held around the country and 188 witnesses presented their views on the CPRS. Witnesses came from all walks of life, including people from government departments, industry associations, business, trade unions and community
organisations, and leading scientists and economists. There were also representatives from mining, industry, farming, energy supply, financial and commercial interests. More than 8,000 submissions were received from organisations and individuals.

The result of this committee was not unanimous, with coalition senators disagreeing on the CPRS. This decision is detrimental to our nation’s fight against climate change. The position of the government senators on this committee—Senator Doug Cameron, Senator Dave Feeney, Senator Louise Pratt and I—is that action must be taken as soon as possible.

After years of inaction by the previous government it is up to us to implement the CPRS to reduce Australia’s carbon emissions and therefore save the environment. With many scientists here and abroad spruiking that climate change is caused by human activity, I wonder why those opposite do not believe climate change is occurring. After inviting all scientists to present their views at these committee hearings, we found that not one climate scientist with qualifications and experience disputed this view. If the scientists—those who study climate change for a living—believe that climate change is caused by human activity and believe that it is potentially damaging to the state of this planet, then who are we to dispute this?

According to the Garnaut review, put together by Ross Garnaut—economist and former adviser—if we sit here and do nothing the expected rise in temperature would be damaging to our environment and to our economy. In our report handed down after the inquiry, the government senators found that inaction would cause temperatures to soar and that that, combined with a decline in rainfall, would greatly affect agricultural production. We would see the Great Barrier Reef destroyed by mid-century. Our snow-fields and beautiful beaches would just be a distant memory. This would put an end to our tourism industry as many travellers flock to Australia to dive at our reefs, relax on our golden beaches or attend the snowfields.

The President of the Business Council of Australia, Graham Bradley, has said that there ‘will inevitably be the need for a market-based mechanism that will give us the lowest-cost approach to reducing the carbon intensity of our industries.’ Getting a carbon price into the economy is the responsible course of action. That is the view of the mainstream business community and it is the view of the government.

AGL and the Climate Institute have found that the uncertainty caused by the delay in a carbon price could cost the economy and consumers up to $2 billion a year in higher electricity prices or around $60 per household in 2020. The Leader of the Opposition is being economically irresponsible by refusing to accept mainstream economic thinking.

The Leader of the Opposition is also out of step with the member for Wentworth, who said:

There are powerful arguments in favour of a tax versus a cap-and-trade scheme but, you know, the political reality is that putting a price on carbon will increase electricity prices and the coalition’s policy is, rather than having polluters—you know, the industry pay those costs and passing them on to consumers—to have the cost of abatement paid for out of taxpayers’ dollars.

The simple fact is that Australians will have to pay more tax to pay for the coalition’s so-called ‘direct action plan’. This fact has been reinforced by the Treasury. I suppose we should not expect anything else from a man who thinks climate change is, in his own words, ‘absolute crap’, and even people on his own side of politics, such as Peter Costello, say that he cannot be trusted on economics.
A carbon price is a major economic reform that will create an incentive to reduce pollution and will drive investment in renewable energy and low-emission technologies. A carbon price will also provide certainty for business investment and ensure the long-term competitiveness of our economy.

I move now to electricity prices. The fact is that the lack of a carbon price is creating investment uncertainty in the energy sector, and this in itself will cause electricity prices to rise. That is because investment in new base-load electricity generation capacity will continue to be deferred, and the long-term cost will be higher. When I reflect back on those inquiries I remember a number of businesses making that very point—that inaction will cost our economy greatly. The managing director of TRUenergy, Richard McIndoe, spoke about what would happen if a carbon price is not set in place. He said:

If it's not done in this government and if this uncertainty continues, not for two to three years, but four to five years, and nobody is building, then you will have power shortages and insufficient capacity.

There would be blackouts.

The CEO of BHP Billiton has made the point that each investment decision in the power generation sector will lock in carbon emissions for the coming 30 to 40 years. We therefore need to lock in low-emission technology now by introducing a carbon price. This is supported by analysis undertaken by AGL and the Climate Institute. They estimate that uncertainty caused by a delay in a carbon price could cost the economy and consumers up to $2 billion a year in higher electricity prices or around $60 per household in 2020. The simple fact is that the biggest risk to electricity prices is the Leader of the Opposition and his lack of leadership on this important issue.

I turn to household consumption. In contrast to the coalition a Labor government will always protect the interests of low-income earners when making this necessary and vital economic reform. In terms of the impact upon households, under the Carbon Pollution Reduction Scheme, the average weekly impact of the carbon price forecast by Treasury was $12. In turn, the government had proposed a household assistance package that ensured that low-income households received assistance to fully offset the estimated impact of higher prices and middle-income households received a significant amount of assistance.

A Labor government will always provide compensation to offset these increases for low- and middle-income households. In contrast, the coalition has no policy to compensate or help low- and middle-income earners for the rising costs that will be caused by the coalition's inaction on this issue. Also, our reforms in the area of energy efficiency can help households cope with any rise in costs. Quite small changes in household behaviour can reduce energy consumption and provide annual savings of over $1,200. These changes could include switching from incandescent light bulbs to compact fluorescent lights and switching off appliances at the power point.

The reality is that after the last election it is clear that no party has a majority and therefore we need to work to build consensus around major economic reforms. As announced by the Prime Minister, the government has established a multiparty climate change committee to explore options for the introduction of a carbon price. The committee will report to cabinet through the minister with a range of possible policy positions informed by discussions with independent experts, environment groups and industry. The committee will start from the position that a carbon price is an economic reform that is
required to reduce carbon pollution, encourage investment in low-emission technologies and complement other measures, including renewable energy and energy efficiency. The committee will also play a role in establishing community consensus for action on climate change.

The point was made earlier that this is about trust. Using the words of the previous speaker, Australians ‘despise liars’. We should never, ever forget the position taken by the opposition leading up to the last election and, in particular, the comments made in the Leader of the Opposition’s budget reply on paid parental leave. He had indicated earlier that he would never, ever introduce new taxes. In that light, I would like someone to explain to me this statement in his budget reply:

…the fairest way to have a paid parental leave scheme anytime soon is through a modest levy on companies’ taxable income over $5 million a year.

We all know what companies we are talking about; we are talking about the Coles and the Woolworths, where working families go and do their shopping. The only way that a big new tax on that business would be passed on to those consumers would be through their shopping carts. People walking the aisles, picking up their cans of Golden Circle pineapple and so on, would have to be compensated in some shape or form by the additional tax passed on to those big businesses through this big new tax that Tony Abbott intended to implement. That shows how people like Mr Abbott despise the public and is also a strong indication of how they are bound to tell lies just to get elected. (Time expired)

Senator FISHER (South Australia) (5.39 pm)—Thanks, Acting Deputy President Boyce, for this opportunity to speak on the Labor government’s breaking of its unequivocal election commitment to not introduce a carbon tax. That is where my pleasure at rising to speak begins and ends. This is yet another broken Labor promise. The Australian electorate will not forget the Labor government’s broken promises prior to the election: its broken promise to have a Fuelwatch scheme, its broken promise to have a GroceryWatch scheme, its broken promise to deliver X number of computers in schools and its broken promise to create 260 child-care centres and 35 GP superclinics.

Senator Farrell interjecting—

Senator FISHER—As if, Senator Farrell—as if! This time around, the day before the election, we were told unequivocally—as no doubt others have said—by the now Prime Minister, Prime Minister Gillard: ‘I rule out a carbon tax.’ It was front-page news. The Treasurer said to Meet The Press on 15 August 2010:

What we rejected is this hysterical allegation that somehow we are moving towards a carbon tax.

More broken promises—as we are coming to expect from the Gillard Labor government.

The Prime Minister has also announced a committee to investigate, assess and hear from experts about a carbon tax, says Senator Furner. No, no, no, Senator Furner; no, no, no, Labor government. This Labor government is proposing to set up a committee for which there are two prerequisites for joining. Firstly, you can only be on the thing to those big businesses through this big new tax that Tony Abbott intended to implement. That shows how people like Mr Abbott despise the public and is also a strong indication of how they are bound to tell lies just to get elected. (Time expired)

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Senator Ian Macdonald—Ha!

Senator FISHER—You are quite right, Senator Macdonald. This is vintage Labor—you cannot join the committee unless you believe in a carbon price. It is vintage Labor, vintage union movement. It is akin to ‘no ticket, no start’: ‘No belief in a carbon price? Then no start on the committee; no seat at the table.’

Term of reference No. 3 for the committee is:

3. The Committee is established on the basis that a carbon price is an economic reform that is required …

Well, there is a lot of choice in that, a lot of freedom of association—union membership is obviously non-compulsory! It is vintage Labor—you must believe in the outcome before you are entitled to a seat at the table. Not only does that show a lack of freedom of association; it strikes another chord fundamental to the cause of the union movement—which, of course, bankrolls the Labor Party—and that is the ‘closed shop’. In other words, you have to have a closed mind before you can belong to this closed shop of a climate change committee. Your view must be, No. 1, that a carbon price is necessary to reduce carbon pollution and, No. 2, that carbon pollution is the culprit that the Labor government would have us believe—broken promises writ large.

The next aspect of the broken promise is the secrecy, the ‘Sh! Do not tell’ of this committee’s terms of reference. Term of reference No. 8 says:

The Committee will ensure its deliberations and papers remain confidential to the Committee and the Cabinet until a final position is agreed or all parties to the Committee agree otherwise.

What has happened to the Prime Minister’s promise:

So let’s draw back the curtains and let the sunshine in, let our Parliament be more open than it was before.

It is obvious. It is vintage Labor—no ticket, no start on this committee. It is a closed shop: a closed mind before you get on the committee and a closed mind to the outcome. And, by the way, thou shalt not speak—silence, a shroud of secrecy around the committee and its deliberations.

Why should that be a surprise to the Australian people? Well, it will not be when we reflect on the broken promises and the botched delivery of the Home Insulation Program. That program was supposed to do three things. Firstly, it was supposed to stimulate the economy. That certainly happened, didn’t it! We are now in the process of, essentially, backing money out of the economy as the government tries to mop up the mess left by its botched and bungled Home Insulation Program. Secondly, it was supposed to create jobs. Yes, workers flocked to the industry at the behest of the government, only to have their jobs taken out from underneath them by the stroke of a ministerial pen when the scheme was scratched. The insulation industry had its reputation unjustifiably tarnished, and thus far the government has broken its promises to help the industry get back on its feet. Thirdly, the Home Insulation Program was supposed to help the environment. How so, when in so many homes that had insulation fitted there was no analysis done to ensure that it was the right sort of insulation—if it was even insulation at all—to be installed in that sort of ceiling and in that sort of climate? In those situations where insulation now is to be taken out, some of that insulation is not even biodegradable. So there is no evidence—indeed there is evidence to the contrary; there are plenty of carbon miles involved in this—that there was any benefit to the environment through the Home Insulation Program. To the contrary,
the only indications are that there was harm done to the environment by the broken promises and botched delivery of the Home Insulation Program.

What about the National Broadband Network? Broken promise. NBN round 1 was supposedly about fibre to the node. The government trashed NBN round 1—they broke that promise—when it became apparent to them that the private sector did not have sufficient confidence to join with the government and invest in NBN round 1, at a cost of some $4.7 billion. Never mind that; move to promise No. 2, at a cost of some $43 billion. ‘We will promise,’ said the Labor government, ‘fibre to the home.’

So there are broken promises on the National Broadband Network in terms of moving from NBN round 1 to NBN round 2, in terms of the delivery time frame and, even more fundamentally than that, in terms of the Prime Minister’s promise to let the sun shine in. How is the sun coming in on a National Broadband Network that has had no cost-benefit analysis and has an implementation plan that makes a raft of assumptions? If the assumptions are proven true, they show that this thing can be built but we are left wondering and unable to see the empirics as to how McKinsey and Co. got to the assumptions upon which the implementation study is based.

There is no NBN Co. business case. At the last Senate estimates, Minister Conroy triumphantly said, effectively, ‘You can’t see the business case today, you can’t see it tomorrow and you won’t see it once it is done.’ Mr Quigley of NBN Co. now tells us that NBN Co. is in the process of revamping its business case in light of the government’s deal with the so-called regional Independents, to prioritise delivery of the NBN to the bush. On what basis is the government able to plan that it will deliver to the bush as a priority, as it says it will? When it says it will deliver to the bush straightaway, what is ‘straightaway’? On what basis is the government making its plans to deliver to the bush and at what price to places in metropolitan Australia which presumably were going to have the build earlier rather than later, prior to the deal with the Independents? What impact does the rejigging of the NBN build have on NBN Co.’s potential returns?

We do not know the answers, because Gillard Labor is not going to let the sun shine in. We are not going to see the empirics of the assumptions made by McKinsey and Co. in their implementation study. We are not going to see, says the minister, NBN Co.’s business case. Worse than that, this government has not done, and promises never to do, a cost-benefit analysis, because, to paraphrase the words of Mr Quinlivan from the Department of Broadband, Communications and the Digital Economy: ‘Why do a cost-benefit analysis of a policy commitment a government has already made? Why do a cost-benefit analysis of a policy that a government has said it is going to implement anyway?’

The implementation study makes a raft of assumptions. Industry experts question whether they will come about but say that, if those assumptions do come about, then this thing can be built. But the implementation study does not say that the NBN is a thing that should be built, and it is reprehensible that this government thus far has got away with not doing a cost-benefit analysis on the National Broadband Network to show that it is a thing that should be built.

The Australian people are probably, unfortunately, not surprised by the government’s breaking of its promise to not introduce a carbon tax. They are probably not surprised by the fact that, in breaking that promise and in walking towards what it seems to hope is
the inevitable result, a carbon tax, Julia Gillard’s Labor government is demonstrating vintage Labor, vintage payback to the union movement and its core principle of closed shops—no pre-belief then no start; no ticket, no start, no seat on this committee.

Senator POLLEY (Tasmania) (5.51 pm)—It is always interesting to be in the chamber when Senator Fisher makes a contribution—we will not worry about any facts, we will not talk about the realities! What we need to do is put on the public record quite clearly that we on this side of the chamber, the Gillard Labor government, accept climate change and accept the science on it. We recognise that Australia’s economy and environment are at great risk from climate change. We are determined to act to reduce the impact of climate change on our great nation.

Opposing action on climate change is like sentencing our nation to a death wish. The coalition, with their failure to even recognise the science of climate change, are placing the future of our great nation in jeopardy. Our commitment to the Australian people is that we will maintain a stable nation. Australian parents want to know that their children and grandchildren will grow up in a nation full of opportunities. I repeat: we on this side of the chamber want to ensure that there is a prosperous future for our children and our grandchildren.

Senator Furner—And their generations.

Senator POLLEY—And generations thereafter. I hope that I am still going to be in this chamber to ensure that those future generations have those great opportunities, and I am sure my colleague Senator Furner will be here as well. We recognise that climate change will severely impact on the nation, our environment, our lifestyles and our future. It is our duty, it is our responsibility to the Australian people, to ensure that future generations of Australians will thrive in our great country, that they will have the opportunities that we have had. Therefore, we need to act together. We need to act soon and we need to protect our nation. We need to protect our environment and we need to protect our economy.

Since coming to office the Labor government has already acted to reduce our levels of carbon emissions in a number of ways to lessen the impact of climate change. The Gillard Labor government will continue strong support for renewable energy to promote greater energy efficiencies in industry and households and to work towards the introduction of a carbon price. I know that we have great opportunities in renewable energy in my home state of Tasmania.

It is our belief that that the most efficient and cost-effective means to achieve a reduction in our levels of carbon pollution is through placing a price on carbon. Not only will it help our environment but placing a price on carbon is a significant economic reform for our economy and an investment in our long-term future. We can either work on this together as responsible elected representatives of the federal parliament or not. Mr Abbott has already demonstrated that he is only interested in being a wrecker, tearing things down and being negative.

Senator Furner—What does he think of a carbon price?

Senator POLLEY—It depends. We all know—because he said it on the public record—that what he says is not necessarily what he believes or what he will deliver. We now know that not even what he writes down can we take as gospel. Like many Australians, we are a bit confused about what we can believe. The record is quite clear about Mr Abbott and what he is able to do. One thing we do know though, Senator Furner, is that he was very good at ripping the guts out
of the health system when he was the health minister.

The government has seized the opportunity we believe this new parliament presents and we will work in a methodical way when considering all the options for pricing carbon. We have recognised that we need to work together in a bipartisan approach in order to gain a consensus to act on climate change. We have invited to join our climate change committee all those people who accept climate change and accept that placing a price on carbon is necessary. I repeat: we are inclusive. We are inclusive on this issue, as we are with so many others, to make sure we benefit the Australian community and make sure that our economy remains strong. We are going to go through a proper process with this multiparty committee. Of course the government will make the final decisions about what the government’s position will be, but we will go through this process step-by-step, in good faith, for the good of our nation.

The Leader of the Opposition may have noticed that, at the election on 21 August, the Australian people voted for this parliament. This means that there needs to be consensus and cooperation. We need to work together—in particular, in relation to very complex propositions. The executive government cannot come into the chamber with a piece of legislation and expect it to be automatically passed. We senators know that that is what is happening and the remaining place. We senators know that that is what has been occurring for some time in this chamber. We know the realities, and we as a government accept that. We have listened and we have heard what the Australia people have said. We understand that this is the parliament that the Australian people voted for. Given that this is the parliament the Australia people voted for, we are honour bound to explore the potential of this parliament.

I could go on and talk about this issue for a long time, but I want to look at some of the comments Senator Fisher made in her contribution in relation to broken promises. We do not have to stretch our memory back too far to remember the broken promises of the Howard government. Senator Fisher made some comments in relation to the National Broadband Network. I remind the chamber of some comments I made earlier today in relation to the response to the rollout of the National Broadband Network in my home state of Tasmania. It was very clear not just from the election results but from the overwhelming support of the Tasmanian community that Tasmanian people support the NBN. The Leader of the Opposition in the Tasmanian parliament, Mr Hodgman, also sees the benefit the NBN will bring to Tasmania and Australia generally. The Tasmanian opposition support the NBN. It does not matter whether you are talking to people in health, education, small business, tourism or farming: those people with vision and who have an interest in the economy can see great benefits in rolling out the National Broadband Network.

The ACTING DEPUTY PRESIDENT (Senator Ludlam)—Order! The time for consideration of this matter has expired.

DOCUMENTS
Digital Television

Debate resumed from 29 September, on motion by Senator Barnett:

That the Senate take note of the document.

Senator IAN MACDONALD (Queensland) (6.00 pm)—I want to make a few comments on this parliament document, Digital television transmission and reception. It is an interesting document. It raises this whole issue of broadband and communications. It is important that we emphasise how much difficulty the government and the department are in with all things broadband.
and all things to do with communications—for example, the National Broadband Network, which has been talked about so much in recent days. When you hear Senator Conroy lauding the benefits of the NBN and talking about Tasmania, it needs to be emphasised and understood that in Tasmania NBN Co. is giving away their services for free for a period of nine to 12 months. This means that the retailers, the internet service providers, are able to provide the service using the NBN at a reasonable cost. NBN Co. are not charging the internet service providers for the use of their services for the first nine to 12 months. This gives a completely false impression of the worth of the NBN.

When we asked Mr Quigley, the head of the NBN Co., at estimates just what he was going to be charging for the provision of this fibre optic service to the internet service providers, he said, ‘We’re still looking at it.’ When we questioned him further, it became clear that they were simply giving it away. How is this NBN Co. ever going to return a profit or encourage private investment—as the government assured us it would—when it gives away the $43 billion investment that it is making? It highlights how without merit Senator Conroy’s administration of this whole department is, including the administration of issues of transmission and reception of digital television, which the report is about.

In seriousness, when Senator Conroy gets to his feet and lauds how good the NBN is in Tasmania, he should come clean; he should be honest; he should tell people that the $43 billion investment is being given away. There is simply no charge for it. There will be a charge in time to come, and the price will then increase from what it is now, which is a reasonable amount. They all have different prices, but it is around $50, $60 or $70 a month. But it will go up to something like $200 a month once NBN Co. actually—

Senator McLucas—How do you know?

Senator IAN MACDONALD—Well, you tell me where I am wrong. What is it going to be? You are going to do for me what Senator Conroy would never do: tell me what they are going to charge so that we can make an assessment of what the monthly payment will be. That is the problem. That is the issue that I am raising. They are not charging anything at the moment. Your government, Senator, said that the NBN Co. would return a profit and that it would get private equity investors. Why would anyone invest in a company that is giving away its product? It has made an investment of $43 billion and it is not getting any return. They are just giving it away. How could it possibly happen? You tell me. I estimate that people will be paying $200 a month, and you tell me I am wrong. Tell me what they are going to charge and then we can work things out. But I guarantee that it will not be any less than $200 a month, because they have got to get a return on that $43 billion investment. The NBN Co. has to get a return. Imagine what they are going to have to charge to do that. Senator Conroy needs to explain this. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Consideration

The following orders of the day relating to government documents were considered:

National Health and Medical Research Council (NHMRC)—NHMRC Licensing Committee—Report on the operation of the Research Involving Human Embryos Act 2002 for the period 1 September 2009 to 28 February 2010. Motion of Senator Barnett to take note of document agreed to.

COMMITTEES

Selection of Bills Committee

Report

Senator McEWEN (South Australia) (6.05 pm)—by leave—I present the 11th re-
port of 2010 of the Selection of Bills Committee.

Ordered that the report be adopted.

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

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 11 OF 2010

1. The committee met in private session on Thursday, 30 September 2010 at 3.51 pm.

2. The committee resolved to recommend—

That—

(a) the provisions of the Airports Amendment Bill 2010 be referred immediately to the Rural Affairs and Transport Legislation Committee for inquiry and report by 16 November 2010 (see appendix 1 for a statement of reasons for referral); 

(b) the provisions of the Australian Civilian Corps Bill 2010 be referred immediately to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 17 November 2010 (see appendix 2 for a statement of reasons for referral); 

(c) the provisions of the Autonomous Sanctions Bill 2010 be referred immediately to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 18 November 2010 (see appendix 3 for a statement of reasons for referral); 

(d) the Aviation Crimes and Policing Legislation Amendment Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 16 November 2010 (see appendix 4 for a statement of reasons for referral); 

(e) the provisions of the Civil Dispute Resolution Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 22 November 2010 (see appendices 5 and 6 for statements of reasons for referral); 

(f) the Commonwealth Commissioner for Children and Young People Bill 2010 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by the last sitting day in May 2011 (see appendix 7 for a statement of reasons for referral); 

(g) the provisions of the Corporations Amendment (No. 1) Bill 2010 be referred immediately to the Economics Legislation Committee for inquiry and report by 16 November 2010 (see appendix 8 for a statement of reasons for referral); 

(h) the provisions of the Corporations Amendment (Sons of Gwalia) Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 18 November 2010 (see appendix 9 for a statement of reasons for referral); 

(i) the Crimes Legislation Amendment Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 17 November 2010 (see appendix 10 for a statement of reasons for referral); 

(j) the provisions of the Defence Legislation Amendment (Security of Defence Premises) Bill 2010 be referred immediately to the Foreign Affairs, Defence and Trade Legislation Committee for inquiry and report by 16 November 2010 (see appendices 11 and 12 for a statement of reasons for referral); 

(k) the provisions of the Human Rights (Parliamentary Scrutiny) Bill 2010 and the Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 23 November 2010 (see appendix 13 for a statement of reasons for referral); 

(l) the provisions of the National Broadcasting Legislation Amendment Bill
2010 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by 16 November 2010 (see appendix 14 for a statement of reasons for referral);

(m) the provisions of the National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2010 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 16 November 2010 (see appendix 15 for a statement of reasons for referral);

(n) the provisions of the National Health and Hospitals Network Bill 2010 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by 18 November 2010 (see appendix 16 for a statement of reasons for referral);

(o) the provisions of the Radiocommunications Amendment Bill 2010 be referred immediately to the Environment and Communications Legislation Committee for inquiry and report by 17 November 2010 (see appendix 17 for a statement of reasons for referral);

(p) the provisions of the Sex and Age Discrimination Legislation Amendment Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by the third sitting day of 2011 (see appendix 18 for a statement of reasons for referral); and

(q) the provisions of the Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010 be referred immediately to the Legal and Constitutional Affairs Legislation Committee for inquiry and report by 24 November 2010 (see appendices 19 and 20 for a statement of reasons for referral).

3. The committee resolved to recommend—

That the following bills not be referred to committees:

Alcohol Toll Reduction Bill 2010
Anti-Terrorism Laws Reform Bill 2010

Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010
Australian National Preventive Health Agency Bill 2010
Building and Construction Industry (Restoring Workplace Rights) Bill 2010
Carer Recognition Bill 2010
Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2010
Commonwealth Radioactive Waste Management (Repeal and Consequential Amendment) Bill 2010
Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2010
Drink Container Recycling Bill 2010
Environment Protection (Beverage Container Deposit and Recovery Scheme) Bill 2010
Environment Protection and Biodiversity Conservation Amendment (Prohibition of Support for Whaling) Bill 2010
Evidence Amendment (Journalists’ Privilege) Bill 2010
Fair Work Amendment (Paid Parental Leave) Bill 2010
Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Restoration of Racial Discrimination Act) Bill 2010
Family Assistance Legislation Amendment (Child Care Budget Measures) Bill 2010
Financial Framework Legislation Amendment Bill 2010
Fisheries Legislation Amendment Bill (No. 2) 2010
Food Safety (Trans Fats) Bill 2010
Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010
Food Standards Australia New Zealand Amendment Bill 2010
Income Tax Rates Amendment (Research and Development) Bill 2010
International Tax Agreements Amendment Bill (No. 2) 2010
Law and Justice Legislation Amendment (Identity Crimes and Other Measures) Bill 2010
National Integrity Commissioner Bill 2010
National Measurement Amendment Bill 2010
National Security Legislation Amendment Bill 2010
Native Title Amendment Bill (No. 1) 2010
Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Bill 2010
Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010
Ombudsman Amendment (Education Ombudsman) Bill 2010
Ozone Protection and Synthetic Greenhouse Gas Management Amendment Bill 2010
Parliamentary Joint Committee on Law Enforcement Bill 2010
Plebiscite for an Australian Republic Bill 2010
Preventing the Misuse of Government Advertising Bill 2010
Primary Industries (Excise) Levies Amendment Bill 2010
Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill 2010
Protection of the Sea Legislation Amendment Bill 2010
Renewable Energy Amendment (Feed-in-Tariff for Electricity) Bill 2010
Safe Climate (Energy Efficient Non-Residential Buildings Scheme) Bill 2010
Service and Execution of Process Amendment (Interstate Fine Enforcement) Bill 2010
Special Broadcasting Service Amendment (Prohibition of Disruptive Advertising) Bill 2010
Stolen Generations Reparations Tribunal Bill 2010
Superannuation Legislation Amendment Bill 2010
Tax Laws Amendment (2010 Measures No. 4) Bill 2010
Tax Laws Amendment (Confidentiality of Taxpayer Information) Bill 2010
Tax Laws Amendment (Research and Development) Bill 2010
Territories Law Reform Bill 2010
Therapeutic Goods Amendment (2010 Measures No. 1) Bill 2010
TradeX Scheme Amendment Bill 2010
Transport Safety Investigation Amendment (Incident Reports) Bill 2010
Veterans’ Affairs and Other Legislation Amendment (Miscellaneous Measures) Bill 2010
Water (Crisis Powers and Floodwater Diversion) Bill 2010
Water Efficiency Labelling and Standards Amendment Bill 2010.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:
   Banking Amendment (Delivering Essential Financial Services) Bill 2010
   Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010
   Marriage Equality Amendment Bill 2010
   Poker Machine (Reduced Losses—Interim Measures) Bill 2010
   Responsible Takeaway Alcohol Hours Bill 2010

(Anne McEwen) Chair
30 September 2010

APPENDIX I
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Airports Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
Committee to which bill is to be referred:
Senate Rural Affairs and Transport Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date: 16 November 2010
(sign)
(Stephen Parry)
Selection committee member

APPENDIX 2
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Australian Civilian Corps Bill 2010
Reasons for referral/principal issues for consideration:
Concerns relate to costs and logistics, and adequate protection for Australians working overseas under this program.
There is also the potential for conflicts of interest arising from AusAID selecting civilian specialists who may be AusAID employees as they are not excluded from applying.
Possible submissions or evidence from:
N/A
Committee to which bill is to be referred:
Senate Foreign Affairs, Defence and Trade Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date: 18 November 2010
(sign)
(Stephen Parry)
Selection committee member

APPENDIX 3
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Autonomous Sanctions Bill 2010
Reasons for referral/principal issues for consideration:
The Coalition supports this Bill in principle but we have a concern about the domestic privacy implications of the Bill.
Possible submissions or evidence from:
N/A
Committee to which bill is to be referred:
Senate Foreign Affairs, Defence and Trade Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date:
17 November 2010
(sign)
(Stephen Parry)
Selection committee member

APPENDIX 4
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Aviation Crimes and Policing Legislation Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Whether the measures proposed in the Bill are appropriate for the stated purposes of the Bill.
Possible submissions or evidence from:
Attorney-General’s Department Law Council of Australia
Committee to which bill is to be referred:
Senate Legal and Constitutional Affairs Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date:
16 November 2010
(sign)
(Stephen Parry)
APPENDIX 5
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Civil Dispute Resolution Bill 2010
Reasons for referral/principal issues for consideration:
Need to assess the extent to which the new obligation requiring a ‘genuine steps statement’ to be filed in Federal Courts, which the Magistrate may take into account when awarding costs, will deter pursuit of justice or facilitate efficiency
Need to assess the extent to which this new obligation will have an impact on the already chronically under-funded legal support services -given that the preparation of this ‘genuine steps statement’ adds an additional step to the legal process, particularly onerous to people from non-English speaking backgrounds.
A similar bill considered by committee in 42nd Parliament. It recommended that the bill be referred to the Economics Legislation Committee.
Possible submissions or evidence from: Australian Law Council
Federation of Community Legal Services Liberty Victoria
Human Rights Law Resource Centre Ltd Public Interest Law Clearing House (VIC) Inc
Committee to which bill is to be referred: Economics
Possible hearing date(s): October 2010
Possible reporting date: November 22 2010
(signed)
(Rachel Siewert)
Selection committee member

APPENDIX 6
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Civil Dispute Resolution Bill 2010
Reasons for referral/principal issues for consideration:
Whether the obligation to “assist” in clause 9 of the Bill creates potential conflicts in the lawyer/client relationship, particularly in circumstances when a client does not accept advice to engage in “genuine steps” and issues contrary instructions; and
Whether the provisions in clause 12 amount to an abrogation of settlement privilege and the extent to which additional safeguards may be required.
Possible submissions or evidence from: Attorney-General’s Department Law Council of Australia
Committee to which bill is to be referred:
Senate Legal and Constitutional Affairs Legislation Committee
Possible hearing date(s): October / November 2010
Possible reporting date: 22 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 7
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Commonwealth Commissioner for Children and Young People Bill 2010
Reasons for referral/principal issues for consideration:
To look at implementing a properly-resourced Federal independent statutory body to oversee the rights of young Australians with the powers to ensure recognition of their needs and views.
Possible submissions or evidence from:
Save the Children
Human Rights Commission
UNICEF
Australian Research Alliance for Children and Young People
Committee to which bill is to be referred:
APPENDIX 8
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Corporations Amendment (No.1) Bill 2010
Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
Chartered Secretaries Rules of Law Australia
Committee to which bill is to be referred: Senate Economics Legislation Committee
Possible hearing date(s): October / November 2010
Possible reporting date: 16 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 9
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Corporations Amendment (Sons of Gwalia) Bill 2010
Reasons for referral/principal issues for consideration:
Whether the measures proposed in the Bill are appropriate for the stated purposes of the Bill.
Possible submissions or evidence from:
Attorney-General’s Department Law Council of Australia
Committee to which bill is to be referred: Senate Legal and Constitutional Legislation Committee
Possible hearing date(s): October / November 2010
Possible reporting date: 17 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 10
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Crimes Legislation Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Whether the measures proposed in the Bill are appropriate for the stated purposes of the Bill.
Possible submissions or evidence from:
Attorney-General’s Department Law Council of Australia
Committee to which bill is to be referred: Senate Legal and Constitutional Legislation Committee
Possible hearing date(s): October / November 2010
Possible reporting date: 18 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 11
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Defence Legislation Amendment (Security of Defence Premises) Bill 2010
Reasons for referral/principal issues for consideration:
Whether the bill’s provisions regarding the use of lethal/grievously harmful force are adequate to ensure force is proportionate, appropriate, justified
Whether it is appropriate to leave training requirements for officers authorised to exercise deadly force to be specified in legislative instrument

Whether the bill ought to provide for people entering defence premises to be notified that they may be subject to a non-consensual search and may be guilty of an offence if they do not cooperate

Whether defence personnel are adequately trained and equipped to safely detain civilians in accordance with the bill.

Possible submissions or evidence from:
- Law Council of Australia
- Police Federation of Australia
- Dept of Defence
- Civil Liberties Australia

Committee to which bill is to be referred:
- Foreign Affairs, Defence and Trade

Possible hearing date(s):
- Possible reporting date: 15 November 2010
  (signed)
  (Rachel Siewert)
Selection committee member

APPENDIX 12
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
- Defence Legislation Amendment (Security of Defence Premises) Bill 2010

Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
- Committee to which bill is to be referred:
- Senate Foreign Affairs, Defence and Trade Legislation Committee

Possible hearing date(s):
- October / November 2010
Possible reporting date:
- 16 November 2010
  (signed)
  (Stephen Parry)
Selection committee member

APPENDIX 13
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
- Human Rights (Parliamentary Scrutiny) Bill 2010
- Human Rights (Parliamentary Scrutiny) (Consequential Provisions) Bill 2010

Reasons for referral/principal issues for consideration:
Whether the Bills identify the appropriate sources of human rights law. Possible submissions or evidence from:
- Professor Jim. Allan, University of Queensland
- Attorney-General’s Department
- Australian Human Rights Commission
- Law Council of Australia

Committee to which bill is to be referred:
- Senate Legal and Constitutional Affairs Legislation Committee

Possible hearing date(s):
- October / November 2010
Possible reporting date:
- 23 November 2010
  (signed)
  (Stephen Parry)
Selection committee member

APPENDIX 14
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
- National Broadcasting Legislation. Amendment Bill 2010

Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
- Committee to which bill is to be referred:
- Senate Environment and Communications Legislation Committee

Possible hearing date(s):
- October / November 2010
Possible reporting date:
- 16 November 2010
  (signed)
APPENDIX 15
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2010
Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
Committee to which bill is to be referred:
Senate Community Affairs Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date:
16 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 16
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: National Health and Hospitals Network Bill 2010
Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
Committee to which bill is to be referred:
Senate Community Affairs Legislation Committee
Possible hearing date(s): October / November 2010 Possible reporting date: 18 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 17
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Radio communications Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Possible submissions or evidence from:
Committee to which bill is to be referred:
Senate Environment and Communications Legislation Committee
Possible hearing date(s):
October / November 2010 Possible reporting date: 17 November 2010
(signed)
(Stephen Parry)
Selection committee member

APPENDIX 18
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill: Sex and Age Discrimination Legislation Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Whether the mechanisms to deal with complaints in respect of school students are appropriate and commensurate with existing compliance requirements.
Possible submissions or evidence from:
Association of Independent Schools of SA Australian Human Rights Commission Attorney-General’s Department
Law Council of Australia
Committee to which bill is to be referred:
Senate Legal and Constitutional Affairs Legislation Committee Possible hearing date(s):
October / November / December 2010
Possible reporting date:
Third sitting day in 2011
(signed)
(Stephen Parry)
Selection committee member
APPENDIX 19
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010
Reasons for referral/principal issues for consideration:
To consider whether the bill strikes an appropriate balance between law enforcement and privacy
Possible submissions or evidence from:
Police Federation of Australia
Law Council of Australia
Australian Communications Consumer Action Network
Electronic Frontiers Australia
Civil Liberties Australia
Committee to which bill is to be referred: Legal and Constitutional Affairs
Possible hearing date(s): October
Possible reporting date: November
(signed)
(Rachel Siewert)
Selection committee member

APPENDIX 20
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Telecommunications Interception and Intelligence Services Legislation Amendment Bill 2010
Reasons for referral/principal issues for consideration:
Whether the measures proposed in the Bill are appropriate for the stated purposes of the Bill.
Possible submissions or evidence from:
Attorney-General’s Department Law Council of Australia
Committee to which bill is to be referred:
Senate Legal and Constitutional Affairs Legislation Committee
Possible hearing date(s):
October / November 2010
Possible reporting date:
24 November 2010
(signed)
(Stephen Parry)
Selection committee member

Membership

The ACTING DEPUTY PRESIDENT (Senator Ludlam)—Order! The President has received letters from party leaders requesting changes in the membership of committees.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (6.06 pm)—by leave—I move:
That senators be discharged from and appointed to committees as follows:

Electoral Matters—Joint Standing Committee—
Appointed—Senator Polley

Foreign Affairs, Defence and Trade Legislation Committee—
Discharged—Senator Faulkner
Appointed—
Senator Hutchins
Participating member: Senator Faulkner

New Taxes—Select Committee—
Appointed—
Senators Cameron and Hutchins

Privileges—Standing Committee—
Discharged—Senator Marshall
Appointed—Senator Cameron

Publications—Standing Committee—
Appointed—Senator Furner

Reform of the Australian Federation—
Select Committee—
Appointed—Senators Back, Ryan and Trood


Scrutiny of Bills—Standing Committee—

Discharged—Senator Cameron

Question agreed to.

Scrutiny of New Taxes Committee
Resolution of Appointment

Senator PARRY (Tasmania) (6.07 pm)—
by leave—I move:

That resolution of appointment of the Select Committee on New Taxes agreed to earlier today be amended to provide that the committee be known as the Select Committee on the Scrutiny of New Taxes.

Question agreed to.

MINING TAXATION
Return to Order

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (6.07 pm)—I table a statement relating to the order for the production of documents concerning mining tax arrangements.

COMMITTEES

Economics References Committee
Report

Consideration resumed from 28 September.

Senator WILLIAMS (New South Wales) (6.09 pm)—I move:

That the Senate take note of the report.

I would like to talk about the Economics References Committee interim report and its final report—The regulation, registration and remuneration of insolvency practitioners in Australia: the case for a new framework. I welcome this report. It was with pleasure that I proposed this inquiry nine or 10 months ago. The insolvency industry has a reputation such that it is not held in high regard by the general public. The reason is that when a company goes into administration and then, as many do, into liquidation, it seems to be that the liquidators charge extremely high fees. People told me about instances where $650 to $700 an hour was charged for liquidators' fees, and it goes down through the ranks and the staff to $120 and $130 an hour for the lady who might bring you a cup of coffee when you visit the liquidator for a meeting. I think these fees are exorbitant, and that is why the inquiry was launched.

Some of the information we got was just mind-boggling. I could give you examples. A company in South Australia called Golden Chef went into liquidation and the assets were sold for $2.45 million. The liquidators' fees and the solicitors' fees amounted to $2 million, leaving just $450,000 for creditors. In 96 per cent of liquidations, less than 10c in the dollar is returned to the creditors—those small Aussie battlers in business who give credit to a company or a business that unfortunately collapses, and it seems that the lion's share of the sale of assets goes to the liquidators.

The inquiry had many, many submissions—I think almost 100 submissions. Many talked about one infamous liquidator, Stuart Ariff, who has now been banned for life from practising as a liquidator. ASIC took him to court, he pleaded guilty on 83 counts of wrongdoing, and I believe he has now been charged by the DPP on various charges. We will leave that for the court to
make their decisions on that finding. It was quite amazing to hear about the problems that we have in this industry. There were a lot of submissions and a lot of witnesses who were very critical of ASIC. ASIC is a governing body, the watchdog for the companies in Australia, and part of its duty is to oversee the insolvency practitioners industry. Yet we had people complaining to ASIC about wrongdoings, gouging and rorting. There were many questions to ASIC about liquidators. One that comes to mind is the case of Carlovers, a car wash industry in Australia owned by a Malaysian company. They went into liquidation with Stuart Ariff as a liquidator. They knew that Mr Ariff was doing the wrong thing, and to get Mr Ariff out of that company—because the liquidator becomes judge, jury and executioner; it has control of the whole industry—it cost that company $1.8 million in legal fees. This is an outrage. These are things that we raised with ASIC during our interviews with them. Mr D’Aloisio, the boss of ASIC, said it was very hard to deregister a liquidator. That was one of the concerns that the committee had. So we have recommended a licensing system where a licence can be suspended instantly if there is substantial evidence of wrongdoing by a liquidator or an administrator.

There were many complaints about the industry, and I think we have had seven inquiries into this industry in the last 20 years, but little or nothing has been done. I will give you more evidence, from Mr Bill Doherty:

If you make a complaint against ASIC you get on their website and fill in a complaint form and hope for the best. I did that three times. Nothing really happened except that I was going to get added to their database again and again. Most of the others also had the same experience. About six months after ASIC launched their court action I thought to myself, ‘I will just see how this system works’, so I put in another electronic complaint. Do you know what I got back? ‘Thank you for your correspondence of 1 May 2009. The issues you have raised will receive careful consideration and ASIC will contact you again in due course.’

I mentioned Carlovers, and this is from Ian Fong:

… I am amazed that there is no effective criminal justice system or harsh penalties to deal with white-collar crime. You have given incredible amount of powers and trust to a profit making industry and you do not back it up with a proper justice system or harsh penalties to deter abuse or misconduct or white-collar crime. To say the least, it is a disgrace.

From Ian Fong again:

To put something trivial into this, one of his staff charged $60 for reading an article in the newspaper about him.

Sixty dollars for reading an article? Us politicians would be paid a fortune if we got paid $60 for every article we read!

When we first broke this story to the media The Australian published an article. His staff charged $60 just to read an article about his boss doing something wrong.

From Jim Maher, Deputy Mayor, Armidale Dumaresq Council in relation to the destruction of the Armidale YCW Leagues Club by an unscrupulous action:

This is white-collar crime. This is criminal activity. We ought to be pursuing criminal sanctions through law enforcement agencies and, if the law is not tight enough, then we ought to be doing something about it.

As I said, seven inquiries in 20 years. I believe the committee has made 17 very good recommendations from this inquiry. One is to take the control of the insolvency industry away from ASIC and put it under the one umbrella with ITSA, which is responsible for personal bankruptcies. This umbrella body will look specifically at this industry, such as whether it should be licensed and whether liquidators have to renew their licence every three years and pass a test face-to-face with the authorities—not as it is now where you
just lodge papers for references. We should have a situation where there is a flying squad, so when reports or complaints come to that body they can look at those businesses and give feedback to the people who are complaining. One of the most frustrating things that was raised in relation to this industry was that when people lodged complaints with ASIC there was virtually no reply and there seemed to be no action taken.

The committee has made some very strong recommendations, and when this went out to the media a couple of weeks ago I found it alarming that a spokesman from Treasurer Wayne Swan’s office said: ‘We don’t have any plans to change anything. We might have a look at the recommendations.’ That is alarming in itself. This inquiry went on for some nine months. A lot of work and a lot of money has gone into it, and I hope the government does not simply turn its back on this industry.

The day we released the recommendations, I had a call from a liquidator in Canberra who was telling me about an administrator who has charged in excess of $200,000 for less than four weeks work in a business in Canberra. The liquidator who phoned me said he could have done the work for $60,000 to $80,000. But, no, someone else has charged around $120,000 to $140,000 more for less than four weeks work. This is the problem with this industry, the perception of overcharging, the perception that money that rightly should be going to creditors is not going to creditors. We still have HIH and Ansett in liquidation. I am very keen to see what charges are finally made for the liquidation of those two companies. They will be into the tens of millions, and it seems to be that when there are a lot of assets and a lot of money in a company, the liquidation seems to go on forever.

This industry needs to change its reputation; it needs to be seen to be giving value for money to the public and to those creditors who rely on the liquidators to do their job. That is certainly not the interpretation or the perception of the general public now. The recommendations are firm; they are strong; I think they are very good. The committee worked closely together. We met in Canberra after the election to finalise our recommendations and the Labor, Liberal and National senators were in agreement with the recommendations. I would like to commend the staff—John Hawkins, Richard Grant and the other staff—who helped us through this inquiry. They were magnificent; they are very conscientious staff members of that committee and do a magnificent job and I appreciate their work.

If the government is not going to address these changes and adopt the recommendations of this committee, then—seeing how the numbers are in the House of Representatives—I look forward to working with shadow minister Bruce Billson, who is responsible for this portfolio. If the government is not going to act on this industry, after seven inquiries and 20 years, then I have no doubt the coalition will, and with the support of Independents and others in the House of Representatives we will be able to make the changes. That will be embarrassing for the government. So my strong recommendation to Mr Swan and to members of the government is to look at these recommendations, to act in accordance with the recommendations and to do the right thing in this industry so that the people of Australia can have more confidence in insolvency practitioners in the future.

Senator IAN MACDONALD (Queensland) (6.20 pm)—In making a couple of remarks on this, I first of all indicate that there are many insolvency practitioners who are reputable, honest and very professional
and who do the right thing and do give value for money. But, having said that, I congratulate Senator Williams for his pursuit of this particular issue. I know Senator Williams has some expertise in this area, gained over many years, and I acknowledge the work that he did in relation to the Storm Financial collapse which resulted in some relief being obtained from what was otherwise going to be a very unfortunate situation.

I am amazed and horrified at the response that Senator Williams has indicated that the Treasurer has given to this excellent report of a Senate committee. It is fairly typical of the arrogance of the Gillard government, and of the Treasurer in particular, that he should dismiss this in the flippant way that he obviously did. I know Senator Williams and the other members of his committee put a lot of effort into this particular report. They heard a lot of evidence and thought a lot about it. The committee secretariat have been particularly precise in assisting the committee in this rather technical area and it behoves the government to seriously look at this and seriously consider the recommendations that have been made.

Parliamentarians always get complaints—as I did in my former life as a solicitor—when liquidation is concerned, in that the banks involved or the people forcing the liquidation address these things wrongly. They do not seem to care that there could be alternative resolutions. Very often the banks shut down the entity that is involved when it could be allowed to trade out of trouble. Any number of us could give any number of examples where banks could have allowed people to trade out of the financial difficulties they were in. The banks would have been better off and lives would not have been ruined. As Senator Williams has mentioned, the trouble is that very often with liquidations there is no master. That is why some of the more unscrupulous practitioners just charge what they like—because there really is not anyone, apart from the unsecured creditors, who lose out. It is very difficult for unsecured creditors to have any influence over practitioners at times.

I do not want to take up much more of the Senate’s time, but I repeat my congratulations to Senator Williams and the committee on the work they have done. I seriously urge Mr Swan to abnegate his arrogant view of this and to seriously look at it. With the parliament being as finely divided as it is in both houses these days, one would hope that if Mr Swan is not prepared to look at this then the parliamentary process will force him to. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Finance and Public Administration Legislation Committee Report
Consideration resumed from 28 September.

Senator BARNETT (Tasmania) (6.24 pm)—I move:

That the Senate take note of the report.

In so doing, I indicate the importance of the Parliamentary Budget Office Bill 2010, which was before this committee, and the merit of a parliamentary budget office for the parliament and for the country of Australia. This is an interim report because the parliament was prorogued and we are now into the 43rd Parliament of Australia, but it relates to the review of the merit of independent analysis and scrutiny of major government budget statements, with the parliamentary budget office reporting to the parliament rather than to the executive. I note also that there is a trend for such offices around the world, including in the US, Canada and the UK.

I indicate that this was initially announced as coalition policy last year at the May budget by the then leader, Malcolm Turnbull,
and I started work on this prior to that budget announcement and following that budget announcement in preparing this bill. It was for good reason, because Labor wasted so much money, managed the economy so poorly and spent Australian taxpayers' money so recklessly. The coalition went to the last election with a policy to establish a parliamentary budget office. Of course, I am very pleased to advise that, since the election, the policy was included in the parliamentary reform agreement with the Independents. Initially, when I introduced this bill in this chamber on 24 June this year, Lindsay Tanner, on behalf of the Australian Labor Party and the Australian government at that time, castigated the coalition for introducing such a bill and for such a policy. He said it was not necessary and was simply a waste of money. Of course, since the election Labor has done a complete backflip. Labor has now signed up in support of a parliamentary budget office. I will not say it is a broken promise, but Labor has now obviously seen the light and the merit of a parliamentary budget office.

Senator McLucas—It would have found your $11½ billion—

Senator Barnett—Let me say, through you, Mr Acting Deputy President, I am happy to take interjections from Senator McLucas or other Labor senators on this matter. She talks about finding billions of dollars. What we found, when I was chairing the Scrutiny of Government Waste Committee, was $10 billion of government waste over the last three years of the Labor government. That was announced by the leader, Tony Abbott, when we released the Labor waste annual report in Launceston during the election campaign. There has been such a shocking waste of taxpayers' money. It is on the public record. We have examples like the pink batts fiasco, the school rorts—or Building the Education Revolution, as it is also referred to—and the Green Loans fiasco, which was publicly reported on by the Auditor-General only yesterday. The Auditor-General, an independent entity, said it was a disgrace, the government processes were all wrong and the government should be held accountable. That was made public yesterday, and today further reports have emerged. Senator Birmingham in this place, Greg Hunt in the other place and others have been castigating the government for its lack of process.

I think there is great merit in a parliamentary budget office. I worked in Washington, DC in the 1980s and became familiar at least in part with the US Congressional Budget Office. That is a very substantial entity; the parliamentary budget office foreshadowed in this bill is much smaller but with a similar focus, where the report is made to the parliament rather than to the executive. It will provide increased independence. It will enhance transparency and accountability to the parliament. That has to be a good thing.

Executives of any colour or persuasion will not be so thrilled about it, I am sure, but there is merit for the long-term benefits to the taxpayers and there are benefits for public policy development, because it provides impartial advice and analysis to the parliament on the Commonwealth budget, on the budget cycle, on major policy developments impacting on the economy and, indeed, on other major policy announcements. It will work to increase transparency in the budget process, and the benefits will flow through to the community, to families, to men and women, boys and girls into the years ahead.

You have examples in Canada, which was established a few years ago, and in the UK, which has established an office similar to the one envisaged in this bill very recently indeed under the new regime led by the Tories. There are a number of submissions; there were six very substantial submissions made
to the Finance and Public Administration Legislation Committee of the Senate, including from the ANAO; Dr Rosemary Laing, Clerk of the Senate; Mr Kevin Page, who is the Parliamentary Budget Officer for Canada; the Research and Library Service in the Northern Island Assembly; Mr Brett Goodin; and, of course, Roxanne Missingham, the Parliamentary Librarian. I appreciated her comments, in particular, with respect to the merits of the bill and to myself with respect to the preparation of that particular bill.

We know Labor have done a backflip. Labor have seen the light and they see the merit in this policy proposal. That is a good thing, and it would be good if they could apologise to the coalition and to the public for the mistakes that they made in castigating the coalition and castigating the merits of this particular initiative prior to the election. That would be useful to put on the record. Then we could get on with the job of preparing and making headway with respect to the merits of this particular bill.

At the time, there was a cognate bill—the value for money bill—which highlighted the importance of introducing into any government spending initiative value for money. I think there is merit in that because we have had so much waste, mismanagement and inefficiency under the Rudd-Gillard government over the last three years and we want it to stop. Those initiatives, whether they be with respect to pink batts, Building the Education Revolution or the green loans fiasco, go on and on, so there is merit in this bill. I know that, now that that agreement has been signed by the independents, the coalition and the Labor government, this matter will progress. That is encouraging, and I commend the bill to that process and to those in the other place who are working through these matters. I highlight the fact that this waste and reckless spending must end. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Consideration

The following orders of the day relating to committee reports and government responses were considered:

Finance and Public Administration References Committee—Report—The funding arrangements for tax reform advertising. Motion to take note of report moved by Senator Parry. Debate adjourned till the next day of sitting, Senator Parry in continuation.

Economics References Committee—Report—Access of small business to finance. Motion to take note of report moved by Senator Parry. Debate adjourned till the next day of sitting, Senator Parry in continuation.


Fuel and Energy—Select Committee—Second interim report—The mining tax: Still bad for the economy—Still bad for jobs. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Environment, Communications and the Arts References Committee—Interim report—Administration and effectiveness of the Green Loans Program. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Agricultural and Related Industries—Select Committee—Report—The incidence and severity of bushfires across Australia. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.


Finance and Public Administration References Committee—Interim report—Reform of Australian Government administration. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Foreign Affairs, Defence and Trade References Committee—Interim report—Australia’s administration and management of the Torres Strait. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Agricultural and Related Industries—Select Committee—Final report—Food production in Australia. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.


Community Affairs Legislation Committee—Report—Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2009. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.


Community Affairs Legislation Committee—Report—Plain Tobacco Packaging (Removing Branding from Cigarette Packs) Bill 2009. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.


Fuel and Energy—Select Committee—Final report. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Community Affairs References Committee—Report—Planning options and services for people ageing with a disability. Motion to take note of report moved by Senator Bushby. Debate adjourned till the
next day of sitting, Senator Bushby in continuation.

Community Affairs References Committee—Report—The prevalence of interactive and online gambling in Australia. Motion to take note of report moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Regional and Remote Indigenous Communities—Select Committee—Final report 2010. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.


Orders of the day nos 2, 4, 6, 8 to 14, 16, 17, 19, 21 to 24, 27, 28, 33, 34, 35, 37, 40, 45 to 47, 49, 52, 53, 56 and 57 relating to committee reports and government responses were called on but not motion was moved.

AUDITOR-GENERAL'S REPORTS

Consideration

The following orders of the day relating to reports of the Auditor-General were considered:

Auditor-General—Audit report no. 1 of 2010-11—Performance audit—Implementation of the Family Relationship Centres initiative—Attorney-General’s Department; Department of Families, Housing, Community Services and Indigenous Affairs. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Auditor-General—Audit report no. 2 of 2010-11—Performance audit—Conduct by Infrastructure Australia of the first national infrastructure audit and development of the infrastructure priority list—Infrastructure Australia. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Auditor-General—Audit report no. 3 of 2010-11—Performance audit—The establishment, implementation and administration of the strategic projects component of the Regional and Local Community Infrastructure Program—Department of Infrastructure, Transport, Regional Development and Local Government. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Auditor-General—Audit report no. 4 of 2010-11—Performance audit—National Security Hotline—Australian Security Intelligence Organisation; Attorney-General’s Department; Australian Federal Police. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Auditor-General—Audit report no. 5 of 2010-11—Performance audit—Practice Incentives Program—Department of Health and Ageing; Medicare Australia. Motion to take note of document moved by Senator Bushby. Debate adjourned till the next day of sitting, Senator Bushby in continuation.

Orders of the day nos 6 to 9 relating to reports of the Auditor-General were called on but no motion was moved.

COMMITTEES

References Committees

Reports

Senator CAROL BROWN (Tasmania) (6.34 pm)—At the request of the chairs of the Community Affairs References Committee, the Education, Employment and Workplace Relations References Committee, the Environment and Communications References Committee, the Finance and Public Administration Legislation Committee, the Foreign Affairs, Defence and Trade References Committee, the Legal and Constitu-
tional Affairs References Committee and the Rural Affairs and Transport References Committee, I present reports on matters referred to these committees during the previous parliament. I seek leave to move a motion.

Leave granted.

Senator CAROL BROWN—I move:

That the reports be adopted.

Question agreed to.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Ludlam)—Order! It being 6.35 pm, I propose the question:

That the Senate do now adjourn.

Homelessness

Senator CAROL BROWN (Tasmania) (6.35 pm)—I rise tonight to talk about an event I attended recently representing the federal Minister for Social Housing and Homelessness, Senator Mark Arbib. Last Friday the Tasmanian state government launched their plan to tackle homelessness. This launch was held at the recently refurbished Bayview Lodge, a supported residential facility. When we attended the launch of the plan, Bayview Lodge was in the final stages of its refurbishment, ready to open its doors for its first clients on 4 October—this Monday. The supported residential facility will provide 30 medium- to long-term spaces for those people who are homeless or at risk of homelessness. Anglicare will manage the facility, and the Reverend Chris Jones also spoke at the launch of the event. I thank Reverend Jones for his hard work on this project and many others and look forward to working with him in the future.

The homelessness plan is an important part of Tasmania’s approach to tackling homelessness, because the best available data tell us that over 2½ thousand Tasmanians are homeless every night. Of these, 385 were sleeping rough, which is about 15 per cent; 25 per cent were in SAP and crisis accommodation; 50 per cent were staying with friends or relatives; and 10 per cent were staying in boarding houses. Some figures which perhaps are even more distressing is that 69 per cent of the homeless population in Tasmania are aged 34 or younger. Thirty-one per cent are aged between 12 and 18 years; and 14 per cent, 12 years or younger.

Being homeless includes people who do not have conventional accommodation—that is, people living in the streets, sleeping in parks, squatting in derelict buildings or using cars or railway carriages for temporary shelter. Sometimes homelessness can be difficult to identify and people can often move between primary, secondary and tertiary homelessness, depending on their sleeping arrangements. Homelessness is not as visibly prominent in Tasmania as it is in other major cities. This is because the number of people who move between temporary accommodation arrangements is higher than the national average.

Whilst homelessness can come in many forms and degrees, it has debilitating effects on those who are homeless. Living on the streets makes homeless people far more vulnerable to both physical and mental abuse. It also takes a terrible toll on families—it can tear them apart—and experiencing homelessness as a child makes adult homelessness more likely. Being homeless often involves a mental illness or poor health, and it can be the result of unemployment, gambling, domestic violence or drug addiction. Being homeless or sleeping rough can happen to anyone. It disconnects people from their family, friends and communities, and it results in significant social and economic costs to individuals, families and communities. That is why it is so vital that we take action to reduce the levels of homelessness.
The Tasmanian Homelessness Plan 2010-13: Coming in from the Cold, is a key part of the Australian government’s historic white paper, which sets the agenda for tackling homelessness to 2020. The Australian and Tasmanian governments share a vision: to address the causes of homelessness, as well as provide housing and support services, through sound economic policies and programs. The federal government’s white paper commits the government to halving overall homelessness by 2020 and offering supported accommodation to all rough sleepers who need it by 2020. These are very ambitious targets, but we remain absolutely committed to them.

There are three fundamental goals of the white paper, part of our National Partnership Agreement on Homelessness, which are: to turn off the tap—ensure services intervene early to prevent homelessness in the first place; to improve and expand services—so services can be geared to help end homelessness; and to break the cycle—so people who do become homeless will move quickly through the crisis system to stable housing, with the support they need to prevent homelessness recurring. Importantly, the white paper recognises that it is as vital to address the causes of homelessness as it is to provide housing and support services. Homelessness should be prevented wherever possible. Those people who experience homelessness should be supported to move quickly through the crisis system into long-term housing and, at the same time, get help to re-engage with society through education or employment.

To achieve the white paper goals, we are collaborating with all levels of government as well as with community organisations that provide services. It is not one level of government’s problem, and it is not one sector of the community’s problem; it is a challenge that everyone needs to address. And indeed in Tasmania we are already addressing the problem. The Australian government has provided $148 million as part of its allocation to Tasmania to construct new dwellings and refurbish existing social housing dwellings as part of the nation building stimulus plan, and $9.8 million under the national partnership agreement to increase the supply of social housing.

The federal government has welcomed the Tasmanian Homelessness Plan 2010-13: Coming in from the Cold. Coming in from the Cold is one of the six key initiatives the Tasmanian government is undertaking as a part of our National Partnership Agreement on Homelessness. The plan shares the three fundamental goals of the white paper which are: to ensure services intervene early; to improve and expand services; and to break the cycle.

Nationally our social housing programs are also essential elements in our strategy to reduce homelessness. There is an unprecedented level of funding the government is investing in this area—almost $5 billion of new funding focusing on assisting people who are homeless. The Nation Building Economic Stimulus Plan: Social Housing Initiative is providing $5.6 billion over 3 ½ years to build more than 19,000 of these homes. We are looking to ensure that at least 50 per cent of houses built under the social housing initiative will be tenanted by people who are homeless or at risk of homelessness. More than 500 social housing initiative homes are being built in Tasmania. Building has begun on more than 450 and some 106 have been completed.

The $700 million National Rental Affordability Scheme, an innovative program giving institutional investors and community housing groups financial incentives to build affordable rental homes, will provide a further 50,000 new affordable rental homes. Under the National Rental Affordability
Scheme, Tasmania will receive 729 affordable homes, with more than 100 already up and tenanted. Importantly, the National Partnership Agreement on Homelessness provides $1.1 billion in new and expanded support services to further support homeless people and those at risk of homelessness to achieve sustainable housing and social inclusion.

Five new supported accommodation facilities are being built under the National Partnership Agreement on Homelessness. There is a very exciting combination of crisis accommodation, on-site support, training and education, which makes an enormous contribution to reducing homelessness. But we know that homelessness is not just the result of too few houses; its causes are many and varied. Domestic violence, a shortage of affordable housing, unemployment, mental illness, family breakdown and drug and alcohol abuse all contribute to the level of homelessness in Australia. That is why the federal government is implementing programs and policies that make a practical difference. Since earlier this year we have introduced weekly Centrelink payments for people at risk of homelessness. Ninety Centrelink Community Engagement Officers deliver outreach services to homeless people, and $80 million nationally over three years has been dedicated to emergency relief services and financial counselling in recognition of the global financial crisis on vulnerable people.

I would just like to go back to the state government’s report. I would like to congratulate the state government and the Secretary to Cabinet, Cassy O’Connor, on producing the state government’s plan to tackle homelessness. I know Ms O’Connor has had a longstanding interest in tackling homelessness; she is indeed very passionate and committed to this issue. So I look forward to watching the progress of the implementation of this plan over the coming years. I would also like to thank and congratulate the many Tasmanians who share that determination, especially those of you who were part of and who have produced the plan, Coming in from the Cold.

**Special Olympics**

**Senator BILYK** (Tasmania) (6.44 pm)—I rise tonight to speak about the organisation Special Olympics. Special Olympics is a worldwide, not-for-profit organisation that transforms the lives of people with intellectual disability through regular sports participation and competition. Let me begin by providing some background information about the organisation. Special Olympics was established in the USA in 1968 by Mrs Eunice Kennedy Shriver, the sister of former US President John F Kennedy. The International Special Olympics organisation has implemented EKS day, named after the founder, and the inaugural celebration was held last Saturday.

In Australia, the national branch, Special Olympics Australia, was established in 1976. The patron of the organisation in Australia is Her Excellency, the Governor-General, Ms Quentin Bryce. The organisation is also promoted by a number of high-profile ambassadors including sport stars, actor Paula Duncan, singer Damien Leith and journalist Peter Overton. Mr Overton states:

Special Olympics is a great organisation that makes a difference to the lives of so many people. I’m always inspired by the achievements of the athletes, amazed at the skills of my fellow volunteers and proud of the great sponsors and donors that support us. I am really pleased to have found a rewarding role at Special Olympics and I hope more people realise there is a place for everyone here.

People with intellectual disability form the largest disability group in the world, and in Australia there are more than 500,000 Australians living with intellectual disability.
Most people will have had an experience with a person with intellectual disability, whether it is an ongoing relationship with a family member or friend, or someone they have encountered in the course of their daily lives. Intellectual disability varies from person to person. For the purpose of their eligibility criteria, Special Olympics recognises that a person lives with intellectual disability if they have: an IQ below 70; difficulties with two or more adaptive skills such as self-care, communication, social interaction and learning; and a condition that came about before the age of 18.

Across the globe, nearly 3.5 million athletes participate in Special Olympics. Special Olympics Australia supports around 4,000 athletes in over 250 sports clubs across metropolitan and rural Australia. The average age of a Special Olympics Australia athlete is 27. Volunteers are an important part of the organisation with over 1,300 providing sports training and organising competitions every week. They also work on committees, manage events, provide photography services and raise funds. Special Olympics Australia offers 14 official national sports including, but not limited to, aquatics, athletics, basketball, soccer, golf, gymnastics, softball, and tenpin bowling. In 2009, more than 250 local competitions were held outside of regular training. The most popular sport in Special Olympics in Australia is tenpin bowling although most younger athletes—aged between 8 and 21—prefer aquatics and basketball.

I get great enjoyment from assisting the organisation and join in their SO, Special Olympics, activities whenever I get the chance. Since we were last in this place I have attended a number of SO activities. On 24 July I attended the state invitational indoor bias bowls games, held at the Devonport Bowls and Croquet Club in north-west Tasmania. Over 60 representatives from all over Tasmania competed in singles, pairs and teams. Later that evening I had the joy of attending the dinner with athletes, family members, volunteers and staff of SO Tas.

On 11 September I attended the Special Olympics 2010 state winter games held in Moonah, Tasmania. The weekend’s event saw athletes competing in basketball and indoor soccer competitions in a variety of divisions. The games were about skill development and fun, as well as embodying all that is good about sport. There were also competitive divisions which were an opportunity for athletes to put into practice their long hours of hard work and dedication at training. The challenge division includes specific activities designed to improve the athletes’ skill level, building their confidence and giving them a great sense of purpose and identity all the while having fun in the process. There is no doubt that these games bring out the competitive edge in the athletes, but it is such a delight to see the smiles on their faces and their true sense of teamwork. All divisions saw the athletes competing in a fun and exciting atmosphere in front of their friends, family and the wider community.

A bit more recently, on 25 August this year, I was fortunate enough to attend a Special Olympics Tasmania Schools Program Ribbon Day held in Kingborough at the wonderful Kingborough Sports Centre Stadium. By the end of the year, about eight such events will have been held across Tasmania and about 400 participants take part in the program each year in Tasmania. The southern ribbon day was attended by over 100 students of different ages and from a variety of schools. The day included basketball, soccer, tenpin bowling, skipping and various other activities. There was a ribbon for each participant and medals for the top three people in each event, some of which I had the opportunity to present. Once again it was wonderful to see all the participants en-
joying themselves and supporting each other. The organisers and volunteers were also obviously enjoying the experience. I would like to thank the Claremont College students who gave up their time to help with the day.

The Special Olympics World Summer Games will be held in mid-2011 in Athens, Greece. The games are expected to attract 7,500 athletes from 185 nations with competitors taking part in 22 sports. It will be the largest sporting event in the world in 2011. Australia will be proudly represented by 130 athletes and 40 team officials. From my home state of Tasmania, Australia will be represented by Vincent Hall, Katie Wheeldon and Glenn Patterson in athletics. Josh Timbs, Luci Giblin and Tim Beattie will represent the nation in aquatics. Gary Burnside and Craig Hansen will be on the softball pitch, Lynn Tanner will be playing tenpin bowls and Kelly Binns will be on the tennis court. Tasmania also has Vicki Forsyth, and Leigh Oswin on the coaching team for the games in athletics and gymnastics respectively. This is Tasmania’s biggest ever representation at the games. I congratulate all athletes and officials on their selection and wish them a safe, successful and enjoyable trip to Athens. I know they are all looking forward to it.

The Special Olympics athlete oath is: ‘Let me win. But if I cannot win, let me be brave in the attempt.’ Winning is a fantastic experience, but it is more important to do our best and to enjoy what we do. Special Olympics is not just about sport; it encourages leadership, friendship and a healthy lifestyle. I would also like to quickly mention, in the couple of moments I have left, the Special Olympics logo. The logo has evolved over time but remains true to the vision of its creator, graphic designer Raymond Loewy. According to the Special Olympics Australia website:

The ‘globe of figures’ is meant to convey the impression of movement, play and activity, as well as friendship and joy. Each figure represents an athlete at play.

A common interpretation of the logo is that the arms of the figures represent the athlete at various stages of their Special Olympics journey: the lowest set of arms represents the athlete before Special Olympics, the middle set of arms is when they’ve first begun participating and the third set of arms are raised in victory as they develop confidence and pride.

The figures are arranged in a globe to represent Special Olympics as a worldwide movement.

Special Olympics is a wonderful organisation that has something for everyone, whether it is as an athlete or volunteer, for children or for adults. The organisation must be congratulated for bringing fun, pride and friendship to people with disability, while at the same time improving their health and wellbeing. In conclusion, I would like to pay tribute to the staff at Special Olympics Tasmania: Nic Stephen, who is the state manager; Tamara Stokes, the corporate relations manager; and Lennon White. Those three people do such a fantastic job and, I know, give much more to the organisation than they receive payment for and put in a lot more hours than they are paid for. They all do it with such great goodwill, good cheer and professionalism. I look forward to continuing my relationship with Special Olympics. I am really honoured when I am invited to attend the organisation’s events.

Caravan of Hope

Senator WILLIAMS (New South Wales) (6.54 pm)—We hear a lot of bad stories in this place—sad stories or whatever—but I would like to talk about a good story. It is about the Caravan of Hope. You may ask, ‘What is the Caravan of Hope?’ I do not blame you for that, so let me explain. In 2008, Salvation Army Captain Chris Millard, who is a member of the Rotary Club of Inverell, was extremely concerned about the welfare of people living in the rural areas of
northern and north-western New South Wales. These people on the land were battling drought and poor commodity prices, and evidence kept surfacing that some families were on the verge of collapse. Some wives were fearful of letting their husbands out of their sight because they were battling depression. Here are some disturbing facts.

Suicide Prevention Australia says that six Australians commit suicide every day. That is 2,100 people who take their lives every year. Compare that with the fact that on average there are four road deaths per day in Australia. Statistics show that there are 65,000 suicide attempts in Australia annually.

Captain Chris, as we know him, challenged his local colleagues in the Rotary Club to do something about it. He suggested that the club look at purchasing a caravan that would be a mobile counselling van to be taken out to farms, where Salvation Army representatives would sit down and talk with families. He suggested the name ‘Caravan of Hope’. The Rotary Club of Inverell took up the challenge, with a target of around $90,000, but in the first year the fundraising was very slow. Then club member Col Campbell, who has done a lot for the Inverell community, including years of service to Inverell Sports Council, hand-picked a committee of people to help out with fundraising.

There were many activities arranged, including a book fair, a caravan tag-along tour and a major raffle. Between them, a number of Rotary members donated $30,000. They also had great support from other Rotary clubs and the Inverell business community. In three months, the fundraising committee had raised $80,000, but they kept going because they knew they could never have too much for this worthwhile project. It eventually cost $90,000 to purchase and fit out this caravan, and Col Campbell handed over a further $8,000 to go towards the costs of operating the van. That was almost $100,000 raised, most of it over a few months, which is an outstanding effort.

The Caravan of Hope was handed over to the Salvation Army on Saturday, 18 September, and I was honoured to be the guest speaker at the public ceremony. Rotary district governor Jo Wilkin was amazed that a town of just 12,000 could achieve this project. Captain Chris Millard said the support from Rotary made him feel humbled. He said:

However, being a member of the Inverell Rotary Club makes me realise that Rotary can achieve goals that others wouldn’t attempt.

Rural financial counsellor Kim Deans said:

The emotional strain on farming families takes its toll on family relationships and physical and mental health. The key to reaching them is through support services such as the Caravan of Hope so that they realise they are not alone.

The Caravan of Hope is now on the road in the capable care of Salvation Army Majors Peter and Jean Ridley of Moree. They will be travelling out to farms, sitting down with husbands and wives with a cup of tea and giving them comfort and hope—for without hope people have nothing.

I congratulate the Rotary Club of Inverell for this world-first project. There are many who deserve a pat on the back: Past President Tony Ditchfield, who designed the caravan; Past Presidents Phil Goddard and Barry Young; current President Robin Archer; and Col Campbell and Bede Thomas, who spearheaded the fundraising drive. Bede Thomas is a local identity in Inverell, very much involved in the community and the Inverell Jockey Club. Bede is the sort of person that could sell ice to Eskimos. He is a great raffle ticket seller and a great fundraiser. There is also Bob Neich, who arranged a lot of the publicity for this project.
Everyone that has made the Caravan of Hope possible should be very proud of their achievement.

We hear a lot said about mental health and mental illness. I was a sceptic many years ago, thinking, ‘Well, I’ve been through dry gullies—had a 10-year fight with the Commonwealth Bank over a foreign currency loan. I managed to get through it okay—I think; I hope.’ As I said, in some ways I was a bit of a sceptic 10 or 15 years ago about mental health problems until a very good friend of mine came down with a mental health problem virtually overnight. Then I realised that mental health is a serious issue and can strike anyone.

We see the tragedies of suicide and the effect on the families and loved ones who are left behind, and ask the question, ‘Why?’ I think that a service organisation such as Rotary can achieve so much. In my many years of being involved in Apex I saw the achievements of the service clubs: Apex, Lions and Rotary. Many of those organisations work in their local communities doing good for their local communities. When I was in Apex we would go and paint a house for a pensioner. Legacy would provide the paint and we would gladly paint the house for them. That is the self-satisfaction of helping people.

Rotary has probably been the most outstanding service organisation in Australia. Just think: a small town of 12,000 people with a Rotary club of probably 35 or 40 members raised almost $100,000 and donated this magnificent caravan so that this couple, the Ridleys, can go around and talk to people who are in financial trouble; people who are suffering in the drought and the tough times of low commodity prices and who are asking the question, ‘How do we make our next payment to the bank? How do we pay our bills at the end of the month?’ It is about talking and giving comfort and hope to these people. That is what this caravan is about. As they said on the day that the caravan was handed over to the Salvation Army, ‘If this project saves one life then it has been well worth it’.

So I congratulate all those people involved in Rotary, many of whom I have mentioned here. Congratulations go to Captain Chris Millard—I always call him Captain Chris—for the magnificent work he does not only in Rotary but in the Salvation Army in Inverell. I often said to my late father, ‘What do you think of the Salvation Army?’ He had been a rear gunner in a Lancaster during the Second World War, and had nothing but praise for the Salvation Army. So we have got these two organisations—Rotary and the Salvation Army—out there helping those in our community. That is something we can be extremely proud of, and I wish them all the best in their future endeavours to bring comfort to those who are in a spot of bother and doing it tough. No doubt they will achieve an enormous amount through this Caravan of Hope—good luck to all of them. Thank you to all those who worked so hard and thank you to the community of Inverell who came forward with the money, the sponsorship and the donations. I am sure this project will be one of success in the future.

Parks Community Centre and Black Hill Pony Club

Senator XENOPHON (South Australia) (7.02 pm)—I rise to speak tonight on the Parks Community Centre and the Black Hill Pony Club in my home state of South Australia. Both of these organisations are community based, not-for-profit groups dedicated to providing people in their area with somewhere to come together over a shared interest. Both of these organisations’ futures are now in doubt, thanks to the South Australian government.
In both cases, the Rann government has decided to sell off the group’s land to be developed into housing. In the case of the Parks Community Centre, that will mean depriving the local community of the only aquatic centre in Adelaide’s western suburbs with both indoor and outdoor pools; a gym, including two full-size courts that are used for regular sporting competitions; the home grounds and playing fields for over 50 sports groups and clubs; a library, which caters for English classes, basic computer skills classes, a wide range of foreign language services and children’s story time sessions; two theatres, one seating 157 people and the other 232 people; additional facilities housing health and parents’ and children’s services; and valuable community services for new settlers in Australia, including refugees.

It will not, however, deprive the community of the Hells Angels headquarters, literally across the street. South Australian Premier Mike Rann promised back in 2002 that his government would demolish bikie fortresses as part of his campaign against outlaw motorcycle gangs—and I commend the Premier for his campaign against outlaw motorcycle gangs. Even earlier, as opposition leader back in 1996, he spoke out against the then Liberal government’s plans to close the Parks centre. He said that closing the centre would be:

… a fundamental assault by the Liberal Government on the western suburbs.

Now, Premier Rann’s government has announced it will go so far as to provide $10 million to replace state government funded health and community services currently based at the Parks, but will not do anything to replace the other facilities. It is my understanding that six schools in the area are also targeted for closure due to the development of a super school campus. This will obviously mean the loss of those schools’ facilities in addition to the Parks centre.

Port Adelaide Enfield Mayor Gary Johanson, whose municipality covers the Parks, has campaigned tirelessly for his community on this issue. He has serious concerns about the effect this closure will have on the community, particularly on young people in the area. With the western suburbs being one of the most culturally diverse areas of Adelaide, Mayor Johanson is worried about an increase in interracial violence, given that young people will not have the common ground of sport and other activities to come together. The Parks has provided such a valuable role, particularly for new settlers and groups of culturally diverse backgrounds, and that is a good thing. Mayor Johanson is also concerned that this area’s low socioeconomic status may mean that a new community funded centre is not an option, and that residents may not be able to afford to travel to other facilities.

Across the other side of town, in the foothills, the Black Hill Pony Club is facing a similar situation to the Parks. The state government has decided to sell the Magill Youth Training Centre and the adjacent land used by the club for housing. This is apparently to fund a new youth training centre at Cavan.

Black Hill Pony Club has been on this site for over 30 years. Originally a dump for everything from old cars to bricks from the nearby kiln, pony club volunteers have rehабilitated the site, including improving the water catchment area it also covers. Through fundraising and hard work, the club has turned this wasteland into an area boasting riding and agistment facilities for the club’s 200-plus members, as well as disabled riders. Black Hill’s most recent investment was in a new jumping arena worth $20,000—all funded through club volunteers.

But Black Hill does not fit the stereotype of a wealthy club with lavish grounds and facilities. Like most SA pony clubs, it has
been built by community volunteers wielding hammers and paint brushes. Members who can afford to also make contributions to the club so that other children in the area, who would otherwise not be able to afford to ride, can come back to Black Hill and make use of the club’s resources.

Black Hill now has until the end of November this year to find new premises, which will most likely be at least an hour’s drive away. For members who keep their horses on the pony club premises, it means either finding somewhere else to agist, or selling their horses. The club expects it will lose many members if it has to relocate to somewhere in the Adelaide Hills, where it will also be in direct competition with many other pony clubs.

The pony club movement offers children and teenagers a friendly, social environment where they—and their families—can learn how to ride and care for their horses. Pony club competitions cover all disciplines and skill levels, and many Olympic medallists got their first taste of winning while dressed in their club colours—including South Australian gold medallist Wendy Schaeffer and silver medallist Megan Jones. Equally, many riders who want the experience without the pressure have found a place at their local club. If Black Hill is forced to move, it will leave the eastern foothills without a club at all.

I would like to acknowledge the work of the member for Sturt and the state member for Morialta in relation to this. Both members have dedicated time and resources to assisting the club. This has included circulating a petition which, I understand, was signed by over 3½ thousand people within four weeks.

Of course, the irony in both of these situations is that the Rann government is one of the most vocal when it comes to running campaigns about youth and community fitness. Currently, the state government runs multiple campaigns and programs aimed at improving the health of South Australians. These include the Eat Well Be Active and Be Active campaigns, both of which are aimed at young people. In fact, the Office for Recreation and Sport website proudly boasts the tagline: ‘Building active, healthy communities.’

The recent state budget included a total of nearly $37 million to run the Office for Recreation, Sport and Racing. It also included an additional $20 million over the next four years to increase the Office for Recreation and Sports grants program. The budget papers state: ‘The community has benefited through the provision of high-quality recreation and sport opportunities appropriate and accessible for all South Australians.’ But look a bit closer and you will find that the number of state active recreation and sport facilities developed or maintained has remained at 25 since the 2007-08 financial year when it rose, by one, from 24.

Back in 2003, the state government formed the Ministerial Physical Activity Forum, which led to the establishment of the Physical Activity Council. The council was responsible for creating the state physical activity strategy, which formed the basis of the Be Active campaign. The strategy covers the years 2004 to 2008. I can find no information to indicate that the strategy has been updated or that a new one has been written. One of the 2004 strategy goals is to:

Ensure all relevant government policy, planning and legislation enhances opportunities for physical activity participation.

The strategy also outlines specific goals to be met for supportive environments:

Promote excellence in the location, design, construction, management and use of facilities and public spaces that encourage participation in intentional and incidental physical activity.
How does forcing these two facilities to close fit into this strategy? How does selling the land out from under local clubs and community facilities help to build active, healthy communities? And can the Premier explain why his government has spent tens of millions of dollars on encouraging South Australians to be active and is now taking away their means to do so with the closure of these two facilities? Or maybe the government no longer sees this as a priority, given that it has not updated its physical activity strategy.

There is more to being healthy than just the physical side, although obviously this plays an important part. Being healthy means being mentally as well as physically fit, and that means being engaged, making new friends, learning new things and being involved in activities—both physical and mental—that are important to you. Kurt Vonnegut, the author, once said:

What should young people do with their lives today? Many things, obviously. But the most daring thing is to create stable communities in which the terrible disease of loneliness can be cured.

When the South Australian government plans to close these facilities and sell the land for development, it does not just take away a place to exercise; it takes away places where people come together as friends, teams and communities with common goals and interests. It takes away places where people learn new skills and share their knowledge. And it takes away places where kids from all backgrounds can have a chance to shine.

If we want kids and adults to be healthy in every way, we need to support grassroots organisations like these. We cannot underestimate their importance. I want to make it clear that we do need more affordable housing in South Australia. But the state government needs to make sure this does not come at the expense of local communities, our lifestyle and our environment. I urge the South Australian government to reconsider its plans for the Parks Community Centre and the Black Hill Pony Club. If it does not, it risks being the government that does exactly the opposite of what it claims and creating inactive, unhealthy communities.

Senate adjourned at 7.12 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

Christmas Island Act—List of applied Western Australian Acts for the period 17 March to 23 September 2010.
Cocos (Keeling) Islands Act—List of applied Western Australian Acts for the period 17 March to 23 September 2010.
Commissioner of Taxation—Public Rulings—
Taxation Determination—Addendum—
TD 2005/2.
Taxation Rulings TR 2010/5-TR 2010/6.
Parliamentary Entitlements Act—
Parliamentary Entitlements Regulations—
Advice of decision to pay assistance under Part 3, dated 27 September 2010.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Australian Landcare Council
(Question No. 2912)

Senator Abetz asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 28 June 2010:

1. Can a list be provided of all members of the Australian Landcare Council (ALC), including:
   (a) the member’s name;
   (b) the member’s state or territory of residence;
   (c) a brief résumé of the member;
   (d) the date on which the member was appointed; and
   (e) the term of the member’s appointment.

2. Has the membership of the ALC been publicly announced:
   (a) if so:
      (i) when, and
      (ii) did the ALC meet prior to the announcement and what was the purpose of that meeting; and
   (b) if not, why not and will the membership be made public, when and how.

Senator Ludwig—The answer to the honourable senator’s question is as follows:

1. (a)–(e) As at 28 June 2010, membership of the Australian Landcare Council was as follows:
   - The Hon. Kim Chance (Chair) – Western Australia
     Appointed: 8 December 2009. Term: The Chair of the Australian Landcare Council holds the office of Chair at the discretion of the Minister for Agriculture, Fisheries and Forestry.
     The Hon. Kim Chance, from Guildford, is a former Agriculture Minister in Western Australia and a past member of the Western Australian Legislative Council. He has also been a representative on a number of agricultural boards for at least three decades including the National Farmers’ Federation, the former Australian Farmers’ Federation and the Water Authority for Western Australia.
   - Ms Kate Andrews – Northern Territory
     Appointed: 6 July 2010–30 June 2013 (term 3 years).
     Ms Kate Andrews, from Darwin is currently the Chair of the Northern Territory NRM Board. Ms Andrews has worked in a wide variety of capacities in natural resource management for nearly two decades. She was previously Knowledge and Adoption Manager for Land and Water Australia and has assisted communities within the Lake Eyre Basin to design a multi-state natural resource management organisation.
   - Professor Snow Barlow – Victoria
     Professor Snow Barlow, from Parkville, is the Associate Dean of the School of Land and Environment at Melbourne University. His research focuses upon the impacts of climate change and adaptation of agricultural industries. Professor Barlow also operates a commercial vineyard and farm forestry enterprise at Warrenbayne, in the Strathbogie Ranges in north eastern Victoria.
Mrs Pamela Brook – New South Wales
Mrs Pamela Brook, from Bangalow, runs a macadamia farm at St Helena near Byron Bay and is co-founder of an award-winning, value adding business, BrookFarm Pty Ltd, based on the farm’s produce. Mrs Brook is also a former director of the Northern Rivers Regional Development Board and is current Chair of Northern Rivers Food.

Ms Elaine Gardiner – Northern Territory
Ms Gardiner farmed in the Ord Valley for two decades and has extensive networks in the Landcare community. She is a former Chair of the Natural Resource Management – Ord Catchment Reference Group and a former Executive Member of the Australian National Committee on Irrigation and Drainage.

Ms Alexandra Gartmann – Victoria
Ms Alexandra Gartmann, from Birchip, is the Chief Executive Officer of the Birchip Cropping Group. Ms Gartmann was awarded the 2005 Equity Trustees Not for Profit CEO of the Year for Significant Innovation. She is also a member of the Victorian Women in Primary Industries Advisory Panel and sits on a number of other state and regional committees.

Dr Judy Henderson AO – New South Wales
Dr Judy Henderson AO, from Repton, is the current Chair of the Northern Rivers Catchment Management Authority in NSW. Dr Henderson is also a former board member of the NSW Environment Protection Authority and former Chair of the Amsterdam-based Global Reporting Initiative, which is setting global standards for sustainability reporting.

Dr Rosemary Hill – Queensland
Appointed: 6 July 2010–30 June 2013 (term 3 years).
Dr Rosemary Hill from Cairns is a Senior Research Scientist for CSIRO Sustainable Ecosystems. Dr Hill’s role involves biodiversity and Indigenous country-based planning and research within the wet tropics and Kimberley regions. She currently leads several research projects for CSIRO.

Mr Peter Kenny – Queensland
Mr Peter Kenny, from Calliope, is a member of the Cape York Heritage Committee, which represents agriculture on the Queensland Premier’s advisory council on Climate Change and a member of the National Biosecurity Advisory Council. He has also held a number of senior positions within AgForce and is a former board member of the National Farmers’ Federation.

Mr Jock Laurie – New South Wales
Mr Jock Laurie, from Walcha, is a fourth-generation grazier and a former President of the NSW Farmers’ Association. He is a former board member for the National Farmers’ Federation and currently sits on several advisory committees to state ministers.

Ms Coral Love – Victoria
Ms Coral Love is from Mudgegonga. In her capacity as the former National Landcare Facilitator Ms Love travelled regularly to all states and territories to liaise with facilitators, coordinators and
the Landcare community. Coral is also the Chair of the Australian Framework for Landcare Reference Group.

Ms Banduk Marika – Northern Territory
Appointed: 6 July 2010–30 June 2013 (term 3 years).

Ms Banduk Marika from Nhulunbuy is a renowned artist and has acted on the boards of the National Gallery of Australia and the Museums and Art Galleries of the Northern Territory. Ms Marika’s work with community groups in Yirrkala, Arnhem Land has resulted in a strong environmental ethic in her community and the development of a form of Landcare which maintains traditional land management whilst embracing contemporary environmental techniques.

Mr John McQuilten – Victoria

Mr John McQuilten, from Betley, served as the member for Ballarat on the Victorian Legislative Council from 1999 until 2006. During his term, Mr McQuilten served on the Rural and Regional Development Committee, Premier’s Bill Committee and Chair of the Arts Committee. Mr McQuilten is currently member of University of Ballarat Council, member of the Victorian Regional Channel Authority and was also a member of the Murray River National Parks Review Committee.

Mr Dennis Mutton – South Australia
Appointed: 6 July 2010–30 June 2013 (term 3 years).

Mr Dennis Mutton from Flagstaff Hill was formerly Chief Executive Officer for the South Australian Department of Primary Industries and Resources, Department of Environment and Natural Resources and Woods and Forests Department. Mr Mutton also held positions as Deputy President and Commissioner of the Murray Darling Basin Commission and as Chair of the South Australian Natural Resource Management Council. Mr Mutton is currently an independent consultant in natural resource management, leadership development and strategic management of research and development.

Ms Vicki-Jo Russell AM – South Australia

Ms Vicki-Jo Russell AM, from Lockleys, is a member of the South Australian Natural Resource Management (NRM) Council and has a strong history in community engagement and expert knowledge and extensive experience in conservation and biodiversity management. She is involved in national and state biodiversity planning and program development. She received an AM (Member of the Order of Australia) in 2003 for her contribution to community-based conservation in South Australia.

Ms Sharon Starick – South Australia

Ms Sharon Starick, from Cambrai, operates a commercial farm business, is a member of the National Rural Advisory Council, and is the presiding member of the South Australian Natural Resources Management Council.

Mr Andrew Stewart – Victoria

Mr Andrew Stewart, from Deans Marsh, is a coordinator of the Otway Agroforestry Network, an organisation he co-founded in 1993. He also sits on the Australian Master TreeGrower Program steering committee in addition to managing the grazing property of Yan Yan Gurt West in southern Victoria.
Mr James Walch – Tasmania
Mr James Walch, from Campbell Town, has campaigned for irrigation development projects in Tasmania. He is currently Chair of the Tasmanian Farmers and Graziers (TFGA) Climate Change Taskforce and a former president of the TFGA.

(a) (i) The most recent members of the Australian Landcare Council were appointed on 6 July 2010. There has been no public announcement at this stage. (ii) The Australian Landcare Council met on 27 May 2010 in Canberra. The purpose of this meeting was to plan the activities of the reactivated Australian Landcare Council.

(b) The membership will be made public through a media announcement, followed by release on the Department of Agriculture, Fisheries and Forestry website at www.daff.gov.au.