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For searching purposes use http://parlinfo.aph.gov.au

SITTING DAYS—2014

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RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

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For information regarding frequencies in other locations please visit http://www.abc.net.au/newsradio/listen/frequencies.htm
FORTY-FOURTH PARLIAMENT
FIRST SESSION—THIRD PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

Senate Office holders
President—Senator Hon. Stephen Parry

Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O'Neil, Nova Maree Peris AOM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams

Leader of the Government in the Senate—Senator Hon. Eric Abetz

Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC

Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy

Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield

Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz

Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC

Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion

Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash

Leader of the Opposition in the Senate—Senator the Hon Penny Wong

Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy

Leader of the Australian Greens—Senator Christine Anne Milne

Leader of the Palmer United Party in the Senate—Senator Glenn Patrick Lazarus

Deputy Leader of the Palmer United Party in the Senate—Senator Jacqui Lambie

Chief Government Whip—Senator David Christopher Bushby

Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston

The Nationals Whip—Senator Barry James O'Sullivan

Chief Opposition Whip—Senator Anne McEwen

Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart

Australian Greens Whip—Senator Rachel Siewert

Palmer United Party Whip—Senator Zhenya Wang

Deputy Palmer United Party Whip—Senator Jacqui Lambie

Printed by authority of the Senate
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
DLP—Democratic Labour Party; FFP—Family First Party; IND—Independent,
LDP—Liberal Democratic Party; LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party
Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
<table>
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<th>Title</th>
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<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Tony Abbott MP</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
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</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Michaelia Cash</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Josh Frydenberg MP</td>
</tr>
<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
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<tr>
<td>(Deputy Prime Minister)</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon Jamie Briggs MP</td>
</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
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<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>The Hon Andrew Robb AO MP</td>
</tr>
<tr>
<td><strong>Minister for Employment</strong></td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
<td>Assistant Minister for Employment (Deputy Leader of the House)</td>
<td>The Hon Luke Hartsuyker MP</td>
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<tr>
<td><strong>Attorney-General</strong></td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
<td>The Hon George Brandis QC</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
<td>The Hon George Brandis QC</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for Justice</td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td><strong>Treasurer</strong></td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td>Acting Assistant Treasurer</td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td><strong>Minister for Agriculture</strong></td>
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<tr>
<td>Parliamentary Secretary to the Minister for Agriculture</td>
<td>The Hon Barnaby Joyce MP</td>
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<tr>
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<tr>
<td>(Leader of the House)</td>
<td>The Hon Christopher Pyne MP</td>
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<tr>
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<tr>
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<td><strong>Minister for Industry</strong></td>
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<tr>
<td>Parliamentary Secretary to the Minister for Industry</td>
<td>The Hon Ian Macfarlane MP</td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
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<tr>
<td>Assistant Minister for Social Services (Manager of Government Business in the Senate)</td>
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<tr>
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<tr>
<td>Parliamentary Secretary to the Minister for Social Services</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
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<tr>
<td><strong>Minister for Health</strong></td>
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<tr>
<td><strong>Minister for Sport</strong></td>
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<tr>
<td>Assistant Minister for Health</td>
<td>The Hon Peter Dutton MP</td>
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<tr>
<td>Senator the Hon Fiona Nash</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon David Johnston</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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Wednesday, 16 July 2014

The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

PRIVILEGE

The PRESIDENT (09:31): By letter dated 11 July 2014, the chairs of the Senate Standing Rural and Regional Affairs and Transport Legislation and References Committees, Senators Heffernan and Sterle, have raised a matter of privilege under standing order 81. The matter of privilege concerns the possible imposition of a penalty by the taking of disciplinary action either on a witness before the Senate Standing Rural and Regional Affairs and Transport References Committee or on a person providing information to the committee in connection with its inquiry into aviation accident investigations, which reported in 2013, and in connection with questions asked at the 2013 budget estimates hearings. Apart from the last element, this is essentially the same matter of privilege raised by Senator Xenophon, in relation to which I made a statement and gave precedence on 10 July this year. For the same reasons given in relation to the matter raised by Senator Xenophon, I am also satisfied that this matter meets the criteria to which I am required to have regard. I have therefore determined that a motion to refer the matter to the Privileges Committee should have precedence over other business for the day on which it is given. Before I call either Senator Heffernan or Senator Sterle, I remind the Senate that this determination of precedence is not a judgement of the substantive issues or the merits of the matter beyond the threshold judgement that it is not of a trivial nature or unworthy of the attention of the Senate, it is necessary to take action to protect the Senate and senators against improper acts and that there is no satisfactory remedy for dealing with the matter other than the contempt jurisdiction. It is for the Senate to make a judgement whether this matter also merits referral to the Privileges Committee. I table the correspondence.

Senator STERLE (Western Australia) (09:32): I, and also on behalf of Senator Heffernan, give notice that on the next day of sitting we shall move:

(1) That the following matter be referred to the Committee of Privileges for inquiry and report:

In the context of an inquiry by the Rural and Regional Affairs and Transport References Committee into aviation accident investigations and budget estimates hearings of the Rural and Regional Affairs and Transport Legislation Committee in May 2013:

(a) whether disciplinary action was taken against either a witness before the committee or a person providing information to the committee; and
(b) if so, whether any contempt was committed in respect of those matters.

(2) That, for the purpose of providing further information to the Committee of Privileges, the Standing Committees on Rural and Regional Affairs and Transport have access to the records of the committee in the previous parliament.
COMMITTEES
Corporations and Financial Services Committee
Meeting
Senator BUSHBY (Tasmania—Government Whip in the Senate) (09:34): by leave—On behalf of the chair of the Parliamentary Joint Committee on Corporations and Financial Services, Senator Fawcett, I move:
That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a private meeting otherwise and in accordance with standing order 33(1) during the sitting of the Senate today, from 4 pm.
Question agreed to.

BILLS
Clean Energy Legislation (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2014
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2014
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2014
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2014
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2014

In Committee
Debate resumed.

The TEMPORARY CHAIRMAN (Senator Marshall) (09:34): The committee is considering the Clean Energy Legislation (Carbon Tax Repeal) Bill 2014 and seven related bills. The question is that amendment No. 3 on sheet 7527, moved by Senator Singh, be agreed to.

Senator MILNE (Tasmania—Leader of the Australian Greens) (09:35): Yesterday, we got the point in committee where Senator Singh had moved the amendment, which would move our existing emissions trading scheme from a fixed price period to a flexible price period. That will effectively move the scheme from a $25 price down to around $7 to $9, depending on the price in the European Union. That is the effect of that amendment. I note with interest that the Palmer United Party have said that they support an emissions trading scheme. I would be interested to know in the parliament whether the government has any interest in moving to a flexible priced emissions trading scheme or not or whether the government rules out ever accepting an emissions trading scheme of any kind.

The second thing I wanted to ask the government in relation to this while the minister is here is what is the estimate of the revenue that the government expects to forego by
abolishing the carbon price. Would he give me an estimate over the forward estimates of exactly what revenue he expects to forego in the forward estimates period, because this is a critical element of the issue of going to flexible pricing or not. Flexible pricing would reduce the amount of money coming into the budget, but it would at least maintain some money, whereas what the government is doing is forgoing the lot. I would like to ask that of the minister.

I would also like to ask him, in relation to the forgone revenue, how much of that revenue will the government lose as a result of restoring the fuel tax credit to cover every cent of excise that mining companies spend on fuel? Specifically, for the forward estimates and what you intend to forego, how much of that is directed to fuel tax credits to the big miners? In relation to financial benefits accruing to the big miners, now that they will not have to pay for fugitive emissions and neither will coal seam gas operations, what is your expectation of the financial benefit that will accrue to mining companies and CSG companies through no longer having to pay for fugitive emissions?

Senator CORMANN (Western Australia—Minister for Finance) (09:38): It is a bit like Groundhog Day, because I feel like I have answered all of these questions before. Whatever cuddly name the Labor Party or the Greens want to give to a tax, whether it is a fixed price or a flexible price, a tax is a tax is a tax. The coalition went to the last election promising that we would scrap the carbon tax. We are determined to deliver on that commitment, because that is the right thing to do by families, pensioners and the economy as a whole.

In relation to the net cost to the budget of ending the carbon tax with effect from 1 July 2014, it is $7.6 billion over the forward estimates period on an underlying cash balance. That is a benefit that flows straight to families, pensioners and businesses. It will help grow a more prosperous economy moving forward, it will help attract investment and it will help create jobs, because it will help make Australian businesses more competitive internationally.

In relation to all of the other questions, we traversed them in some detail last week and I will refer Senators Singh and Milne to the Hansard record of the debate last week.

Senator MILNE (Tasmania—Leader of the Australian Greens) (09:39): Senator Cormann obviously has a different recollection of last week, because I have never had an answer from him about the fuel tax credits that he is going to give back to the big miners, which are 6c a litre. I want to know how much revenue will the government lose as a result of restoring the fuel tax credit to cover every cent of excise that the mining companies spend on fuel. I want that over the forward estimates, please. I did not get that figure from you last week. I am asking for it now.

The TEMPORARY CHAIRMAN (Senator Marshall): The question is that the amendment be agreed to. Senator Milne.

Senator MILNE: So the minister is not going to answer questions—is that what is going to happen in this committee stage of the debate, Chair, because it is a perfectly reasonable question to ask a minister to explain forgone revenue? We now have a minister sitting there refusing to answer the question on the same day we have a Treasurer standing up saying that we have got a budget repair job to be done and out there refusing to answer questions as to how much money is going back into the pockets of the big miners.
I am going to ask again and keep asking until you give us an answer. I want to know not only about the fuel tax credits going back to the big miners—every cent of excise, 6c a litre, over the forward estimates to every big miner turns into billions. We have a figure from the Parliamentary Budget Office. I want to know what the government's figure is. How much cost-shifting are you doing out of the taxpayer into the big miners? That is one thing I think the community deserves an answer to. I also asked about the financial benefit that will accrue to mining companies and coal-seam gas companies through no longer having to pay for fugitive emissions that are driving climate change. Please, I would like an answer.

Senator CORMANN (Western Australia—Minister for Finance) (09:41): As I have said before, I again refer Senator Milne to the Hansard record where we traversed all these issues in some detail last week.

Senator MILNE (Tasmania—Leader of the Australian Greens) (09:42): I can tell the Senate that Senator Cormann is not being up-front with the Australian people. Perhaps he would like to go out and tell the Australian people what the figure is for the increase in indexation on fuel excise plus the 6c a litre on the fuel tax credits over the forward estimates. I tell him that, according to our estimations, it is half of what you would raise in the fuel excise. Half would go straight into the pockets of the big miners. It is a complete cost-shift out of the pockets of the community when they drive their vehicles straight into the pockets of the big miners. That is where it is going. Add up the figures. Indexation plus fuel tax credits—half is going into that and the other half into the East West Link, WestConnex and every other freeway and congestion measure that will increase urban sprawl and increase pollution. Why don't you tell people that you want to take their money on fuel excise in order to give it to the big miners through the indexation and through this particular measure? You will not come forward and you will not say.

We did not discuss this last week. You did not put a figure on the table. I am asking you again for the figure that you are prepared to forego here. How much are you going to lose as a result of giving back to the big miners 6c a litre? It is 6c a litre into the pockets of the leader of the Palmer United Party, into the pocket of Gina Rinehart, into the pocket of Twiggy Forrest, into the pockets of the lot of them. Because the one thing that the government has got control over his fossil fuel subsidies—government expenditure giving away money to the big miners. Why won't you stand up here and name the figure?

I take it from the minister that is going to sit there and stonewall and not answer because he does not want people out there in the community to know that what we are doing here is yet
another big assistance to the big end of town—cost-shifting out of the community's pocket straight into the pocket of the big miners, which is exactly what we are doing here.

I will try another one to see if the minister can answer this time, since he will not answer on fugitive emissions, mining companies and coal seam gas. I ask the minister: how much of a financial benefit will accrue to Queensland Nickel by it no longer being a liable entity under the carbon price? I know you have got the figures, because the regulator has got those figures. I want to know exactly how much money is going to go and what benefit will accrue to Queensland Nickel by it no longer having to pay a carbon price. It is an important question and I would like an answer.

Senator SINGH (Tasmania) (09:45): I am happy to sit and let Senator Cormann have an opportunity to actually jump out of his seat and answer Senator Milne's questions, but he seems very reluctant to do so. I thought this was the in-committee stage, where we asked questions of the government and sought answers from them, rather than them just sitting back, sipping on their water and having all day to just take it easy. This is supposed to be a really serious and important debate. A debate faces this country. We have before us a number of amendments. We also have before us a new bill that has come from the other place. There are serious questions that need to be answered. I think it is very dishonest and disrespectful if Senator Cormann sits there and refuses to answer such questions.

I will have another go. I will ask Senator Cormann this: on 23 May 2011, the then opposition leader told the Australian people that the carbon price would be a $10 a week hit on the average person at the supermarket checkout, so will Senator Cormann stand by the now Prime Minister's promise and guarantee the people of regional Australia that their grocery bills will now fall by at least $10 a week? When exactly are you anticipating the drop in prices?

Senator CORMANN (Western Australia—Minister for Finance) (09:47): I thank Senator Singh. In talking to the amendment that is before the chair that was moved by Senator Singh, let me confirm that the government stands by all of the commitments that we made in the lead-up to the last election, especially and in particular the commitment to scrap this bad carbon tax that is responsible for pushing up the cost of electricity, pushing up the cost of gas, pushing up the cost of living and pushing up the cost of doing business in Australia. We stand by the Treasury modelling, which has assessed that the average household will benefit from a reduction in cost-of-living expenses of about $550 per annum.

Senator CAMERON (New South Wales) (09:47): I am very interested in what this average household is, how that analysis has been done and whether there have been any details undertaken as to how this supposed benefit of the removal of the carbon price will benefit ordinary families. On the $500 that has been bandied around, I seen much analysis that this will not be the case. In response to questions this week in question time, the word 'average' has been used a number of times. Is there a bottom line figure in terms of how much someone would benefit? Is $500 the average and, if it is not the average, what is the top-line benefit that you are saying people will achieve? Maybe you could tell us the definition of the average family, how you have worked that definition out for what the average family is and how you can be sure that any reduction will be passed on? Because I have got a few questions on this, maybe you can advise us, Minister, how you have determined the average family?
Senator CORMANN (Western Australia—Minister for Finance) (09:49): I thank Senator Cameron. The government has used the exact same definition for average household that was used by the previous government. The Treasury modelling uses the same methodology as the modelling that was done by Labor in government, when Labor assessed the impact of the carbon tax on households. You used it back then and we are using it now.

Senator CAMERON (New South Wales) (09:49): Minister, maybe you can explain to me what that average household is instead of saying we used it. I am asking you the detail in the context of your legislation. If you are using the same definition, could you advise me what that definition is?

Senator MILNE (Tasmania—Leader of the Australian Greens) (09:50): Obviously the minister is just going to sit there and not answer these questions. That is a perfectly reasonable question that has been asked. If we are just going to have stonewalling, it is complete contempt of the Senate. The committee stage of legislation is to answer direct questions. That was a direct question. So I will put it myself: in terms of the $550 average return to householders that Senator Cameron has referred to, which householders and where did the $550 come from? Did it come from Treasury modelling? If it did, will you now admit that 250 of the 550 in the modelling was on food, clothing and rent. Minister Cormann, can you tell me which part of the bill captures people selling food, people selling clothing and people offering premises for rent and makes them liable to be fined if they do not remove the tax impost? Which part of the bill?

Senator CORMANN (Western Australia—Minister for Finance) (09:51): None of the questions that have been asked by Senator Cameron or Senator Milne just now relate in any way to the question before the chair, which is the amendment that was moved by Senator Singh on behalf of the Labor Party to rebadge the carbon tax. The government have made very clear that we do not support the amendment that was moved by the Labor Party.

What is happening here now is the Labor Party and the Greens are desperately trying to filibuster a debate that has been going on for years. This bill has come before the Senate for the third time. All of these issues have been traversed in great detail in Senate estimates, in Senate committee inquiries, in repetitive debates in this chamber over the past 10 months, and these are all issues that were canvassed in some great detail in the lead-up to the last election. The Australian people made a judgement at the last election that they wanted the carbon tax gone. You can jump up and down in here for as long as you want, trying to keep this debate going because you are desperately trying to keep a tax that the Australian people have voted to get rid of, but the government is not going to be a party to this. We are not going to be a party to this attempt by Labor and the Greens to keep going with an ongoing and unnecessary filibuster. We should get on with this, vote on the amendment that is before the chair, vote on the other amendments, and then deal with the legislation as a whole.

Senator CAMERON (New South Wales) (09:53): This is typical of Senator Cormann, this arrogance towards the Senate. And it is typical, in my view, of the coalition generally—that is, arrogance towards the procedures and processes of this chamber, whose job it is to analyse the bills, whose job it is to ask the questions and whose job it is to ensure that what this government is seeking to do is in the national interest. In my view the answer that Senator Cormann has just given, that the public have voted for the repeal, would be arguable if the public had been told what this was all about. Typically, the coalition lied on this issue to the...
Australian public—that is, the effects of the carbon price. They lied when they said—I think everyone understands now that former Senator Joyce, when he was in here, was telling people in the bush and telling people all over Australia that it would be over $100 for a leg of lamb. What the minister is doing now is continuing the process of deceiving the Australian public. The government have come out and they have argued that a family would be $550 better off.

At one stage previously the coalition were arguing that it would be $100 for a leg of lamb, which was just an absolute fabrication and an absolute lie and a position where the public were being misled about what the carbon price would do. What I am trying to get my head around is: if the public were being misled then, why is the minister not prepared to go over these issues in some detail? Why will the minister not advise, first of all, why the $100 leg of lamb did not come about? That is something I would be interested in. Why did that leg of lamb not become a $100 leg of lamb, as the coalition told the public that it would? I would be interested to hear that position. I have got a view; I would like to hear the minister's view. My view is that it was a fabrication and a lie by the coalition. It was one of the many lies told by the coalition about the effect of the carbon price.

They have not only lied on the carbon price; they lied on a whole range of issues that go to the cost of living. It seems to me, and I am very concerned, that you can go to the public when you are in opposition, as the coalition did, and run an argument about the cost of living. You can create a fear campaign over the effects of what the economists have said is the most effective means of dealing with carbon pollution in this country, and that is to put a market price on carbon. That is what we did. We took advice on this issue. We took advice on what was the most cost-effective means of dealing with carbon, and that cost-effective means was offset by support for families to take them through the introduction of the carbon price. Now we have the minister standing here this morning with no cost-benefit analysis and with no facts, simply saying that the average family would be $550 better off. Well, if the leg of lamb did not reach $100, how can anyone trust the government on anything they say in relation to the carbon price?

The issue that the government needs to deal with is the complete lack of trust that the community now has in this government. In my view, the argument that you have got a mandate, as you argued here, and that the public says you can do that is so much codswallop. It is absolute nonsense. You have a mandate based on an absolute lie, and the only way you can recover is to lay out in detail what the exact position is. Who is the average family? What does the average family look like? Where will the gains be made by that average family? Why are you now moving away from a position where everyone would get $550 to a position arguing that some will get more and some will get less? I know why you are doing it. It is because there has been absolutely no cost-benefit analysis done on this proposition that you have put up.

This is legislation based on an ideology that says: 'We're all right. In our lifetime we might get through this problem without doing anything serious about climate change.' We know what Mr Turnbull said about this government's position. We know that Mr Turnbull, in his heart—and I would say Senator Birmingham, who has looked at this somewhat seriously over a period of time—would know that all the advice that came to government was that the most effective means of dealing with a carbon pollution position in this country was for the market to put the price on carbon.
So I would be interested to know why the government, who professes the strength and the role of the market so vociferously, day in day out, would move from a market-based approach on pricing carbon to this nonsense of Direct Action—a policy that is absolutely linked in the overall position that the government takes: get rid of the price on carbon and put in this so-called Direct Action. I am still interested in why the $100 leg of lamb did not eventuate. Was that factored in to the $550 saving that would be made through the repeal of a price on carbon? Has the Direct Action program being costed, because it is directly linked to the repeal of the carbon price? How does that Direct Action program relate to the overall situation? How can we be sure that Direct Action will do anything? What is the cost of the bureaucracy that is being set up around Direct Action, because these are all costs? Is there an implication for the cost saving that families get—this $550 cost saving that a family gets? Is that less because you are setting up this huge bureaucracy to deal with Direct Action? What is the cost of Direct Action? What are the implications of Direct Action on the savings that you claim families will make? How many bureaucrats will be actually dealing with Direct Action? How many bureaucrats are being set up? What discussions has the government had with industry in relation to the type of projects Direct Action would take into account? Will the type of project have an effect on that $550 that you claim the average family will save?

You cannot tell us what average family is, you cannot tell us about the $550, you cannot tell us about the effect of the bureaucracy—you cannot seem to tell us about a whole range of costs and benefits. What discussions have you had with the industry that would lead you to believe that Direct Action and the repeal of the carbon tax would have an impact on families incomes? Will there be a reduction in power prices? Or will, as every commentator says, power prices were not solely increase due to the carbon price and that they will be a continuation of increased power prices in this country? You cannot now, when you are in government, just simply run the lies that were promoted. Some people in my view voted for the coalition on the basis that their electricity prices would go down. We are absolutely know that that is not going to be the case.

We hear other arguments. I would be interested to hear where all these jobs were going to be lost over a small imposition. Does the minister accept that the imposition of the carbon price was much less in its impact on the economy than the imposition of the GST? That is what, I think, Dr Ken Henry, when he was secretary of the Treasury, said.

Senator Ludlam: One-third.

Senator CAMERON: Yes, one-third of the impact. Is that correct? I would like to hear that, because when we are dealing with these issues we need to know the context of how we are dealing with it. One-third of the impact of the GST.

I would like you to comment on the Treasury modelling that was done when the carbon price was introduced. As I understand it from the estimates committee—Senator Cormann, I am sure you were there on several occasions, along with me—we were told continually by the same people who are advising you now that the implication for jobs was minor, that employment would continue to grow over the period of the carbon price and that wage increases would continue to grow over the period of the carbon price. These are all big issues. And what I believe the public thought about the carbon price was very successfully prosecuted by the coalition—I think people will look at this in the years ahead and say, 'What was this all about'—and it led the public to believe that jobs would be lost across the
economy, that jobs would be lost because of the carbon price. I have not heard anything about the jobs that will be lost because of this decision that you are making in terms of the capacity for our industry to decarbonise and create jobs for the future. I would be interested in your view on that. I would be interested in the modelling that was done that was quite unequivocal that this was a small impact on the economy, completely at odds with the impression that the coalition have left in relation to what the real impact is. The impact that you have argued out there publicly is at odds with the Treasury modelling that I was advised of and that you were advised of.

The environmental implications, in my view, are significant in terms of us not playing a proper role. As the former Prime Minister John Howard argued, we should play a leading role in a worldwide attempt to deal with the impact of climate change. So there are a number of issues that I am interested in. Again I ask: what is the average family! What is that $100 leg of lamb impact? Why didn't it reach $100? Was that simply a lie by the coalition, as everyone else—you should just concede that point; it was part of a fear campaign. How do you deal with the modelling issue? How do you deal with the issue of the market being the most efficient and effective way to deal with it? How do you deal with the criticism of Mr Turnbull in relation to your fig leaf of a policy—that is Mr Turnbull's view. How do you deal with all of those issues when you claim a mandate?

Senator IAN MACDONALD (Queensland) (10:08): The minister can perhaps answer my questions at the same time, if he can find a question amongst that 15-minute filibuster by Senator Cameron just now. I do have a genuine question that the minister may be able to address.

I cannot let it pass by without commenting about Senator Cameron lecturing anybody about alleged lies. We all know, every Australian knows, that Senator Cameron's former leader, Ms Gillard, promised, hand on heart, before the 2010 election there 'will be no carbon tax under a government I lead'. When we suggested that was not true, the then Deputy Leader of the Labor Party, Mr Swan, said that we were scaremongering by even suggesting it. So for Senator Cameron to lecture anybody about alleged lies is just outrageous. And anyone who might be listening to this broadcast should just understand that when they hear from Senator Cameron and from Senator Milne they are full of misinformation, incorrect assertions—anything to scare the Australian public about the decision the Australian public made in September last year. You could not have got a clearer expression of intent from the Australian public. Every Australian knew that the last election was to be a referendum on the carbon tax.

Senator Cameron, I ask you how many senators you lost at the last election. How many members of the lower house did you lose at the last election? Australians knew what they wanted. They voted accordingly. I get disgusted at the filibustering by all speakers so far this morning—apart from Senator Cormann, I might say. It is just an absolute filibuster to ask questions that have been asked dozens of times before. Answers have been given on numerous occasions and this is just a filibuster.

I want to address some serious questions to the minister because this is what the committee stage is about. When Senator Milne talked about QNI she reminded me of something. Is the minister aware of the impact of the carbon tax on Queensland Nickel, in Townsville? This is a metals refinery that employs hundreds of my fellow Australians and, more importantly, hundreds of people in the Townsville district, where I have my office. I know the fear of the
workers at QNI around the impact that things like the carbon tax would have on that particular facility. I wonder if the minister can tell me how many people are working at QNI. The minister may not have these details readily at hand. If not, I would be happy for him to take this on notice and perhaps get back to me some other time. I would like to know how many are employed at QNI and what the impact of the carbon price would be. Were there rumours circulating around Townsville that Queensland Nickel would have to shut down because of the impost of the carbon tax on all aspects of that business? Does the minister have any details of the impact on the Townsville community if QNI had had to shut down because of the carbon tax and of the burden on their operations that the carbon tax caused right throughout?

I also ask the minister: is he aware that, in addition to QNI, there is a modern zinc refinery in Townsville run by Suns Metal? One of the big problems with Suns Metal is, again, the impact of carbon tax on electricity and other costs. I wonder if the minister can tell me how many jobs there are at Suns Metal, the zinc refinery in Townsville, and what the impact of carbon tax might be on that particular entity.

I also ask Minister Cormann, along the same line: is he aware that Copper Refineries Pty Ltd operate a copper refinery in Townsville? Is the minister aware of how many jobs are there? How much did the carbon tax impact on the decision of Xstrata-Glencore to eventually phase that out because of the cost of electricity and other costs? I also wonder if the minister would be aware and has any detail of the impact that jobs in those three refineries have on the North Queensland economy.

The minister may not have this information, but I will ask anyhow: is he aware of which union it is that looks after the workers at the copper refinery, at Queensland Nickel and at the zinc refinery? Is he aware if those unions have had anything to say about the impact of the carbon tax on the operation of those three huge employers in the Townsville region?

While I am at it, I ask the minister if he could give me any indication of the loss of jobs in the coalmining industry in the Bowen Basin—again, near where I live—that have resulted from the carbon tax. I ask the minister whether he could indicate whether those job losses are directly related to the carbon tax or the mining tax. I do not want to get into the mining tax—that is a debate for another day—but I just want to know whether the minister has details of the reported job losses. I am not sure whether the minister has that detail. If not, I would be happy for him to take the question on notice. Clearly, there have been reported huge job losses—I know about it from constituents who have spoken to me—in the Bowen Basin coal fields area.

I wonder if the minister would be aware of which union is supposedly looking after the interests of coal miners in the Bowen Basin.

Senator Lines interjecting—

Senator IAN MACDONALD: I think one of the Labor senators indicted which union it was. Perhaps the minister will not have to look that up. Perhaps the Labor senators would know that it is the CFMEU. Perhaps they could tell us what submissions the CFMEU made to the Labor Party in relation to the job losses directly as a result of the carbon tax, and perhaps the mining tax as well.

I know the Labor Party have promised, in a pre-election brochure, to abolish the carbon tax, which makes me wonder why we are here, now, filibustering to prevent the Labor Party
from being able to vote to abolish the carbon tax as they prom\pled to do. I do not want to join Labor and the Greens in filibustering. I have asked my questions. If the minister is able to provide them I would appreciate answers. If there are some that the minister has to take on notice, I would be happy to get those answers later on.

Senator CORMANN (Western Australia—Minister for Finance) (10:17): I thank Senator Macdonald—a distinguished, long-serving senator from the great state of Queensland—very much for his questions, unlike Senator Cameron, who spent 15 minutes asking a few questions as part of the Labor-Green filibuster only to bolt out of the chamber before I had a chance to answer. At least Senator Macdonald is asking genuine and legitimate questions and—unlike Senator Cameron—is genuinely interested in the answers.

Senator Macdonald suggested that Labor had promised, in the lead-up to the last election, that they would abolish the carbon tax. They actually went further. They promised to abolish not just the carbon tax. I have a flyer here authorised by George Wright, the national secretary of the Labor Party. This is what it says. "Kevin Rudd and Labor removed the carbon tax." They suggested to the Australian people that it had already happened. In fact, on the front page it has something like a supermarket receipt, which shows the price of gala apples at $5.12 and the price of eggs at $4.02. And then it says 'carbon tax.' And do know what it says next to 'carbon tax'? It says 'abolished'.

Senator Lines: Finish the sentence: '…replaced with an ETS.'

Senator CORMANN: Senator Lines is up there at the back interjecting, 'We said that we would replace it with an emissions trading scheme.' That is not true, Senator Lines. There is no fine print. I challenge you to show me on this flyer that was distributed to households across Australia where it says that your removal of the carbon tax—that your abolition of the carbon tax—was, in any way, contingent on the introduction of an emissions trading scheme. There is no fine print here anywhere. It does not say that. You deliberately set out to mislead the Australian people in the lead-up to the last election. You knew that your carbon tax was toxic.

In a desperate attempt at the last minute to save some votes, you went out to deliberately mislead the Australian people about your intentions. You explicitly said that the carbon tax had been abolished. You explicitly said that Kevin Rudd and Labor had removed the carbon tax. You explicitly said, 'Kevin Rudd and Labor have removed the carbon tax, saving the average family $380.'

Senator Ian Macdonald: Oh!

Senator CORMANN: I wonder where that figure came from, Senator Macdonald—a $380 saving per year. The then Treasurer, Chris Bowen—a short-term Treasurer for a little period in the interregnum between then Prime Minister Gillard and the change of government at the election—put out a press release. He said that Labor's changes would result in:

… a reduction in the cost of living worth around $380 to an average household next financial year …

So it was just for one year. Even though Kevin Rudd at various press conferences suggested that it would be every year, year on year, that was, of course, not true. In his press release, then Treasurer Bowen said that the move to make the changes that Labor was suggesting was:
… expected to save the average household around $3 a week, or over $150 in the year, on its electricity bills and around $1.10 per week, or $57 over the year, on its gas bills, providing much needed cost of living relief to many households.

In this press release, to give due credit to then Treasurer Bowen, the fine print is there, but it was not in the propaganda that was sent by the Labor Party—by George Wright out of the national secretariat of the Labor Party—to the Australian people. In the press release that not many people would have read, the fine print is there, and they say they would have saved Australians $380 in year one through the changes they were proposing. But, of course, all Labor were proposing was to re-badge and modify the carbon tax. Those modifications, they said, would save $380 a year for an average household.

We have used the exact same modelling and the exact same methodology but on the basis of scrapping the carbon tax altogether rather than just re-badging it. We stand by the estimates in the Treasury modelling that the average Australian household will be $550 a year better off. So I give that response directly to the questions that were put to me, before he bolted out of the chamber, by Senator Cameron as part of his 15-minute filibuster.

He also asserted that there would be more jobs under the carbon tax. Again, he is not telling the whole truth. The Labor government's own modelling showed that jobs growth would be lower—that there would be fewer jobs as a result of the carbon tax. Labor's own Treasury modelling in government of the impact of their carbon tax showed that the economy was expected to grow by $1 trillion less to 2050 in 2011 dollars. That is nearly a whole year's GDP for the whole of Australia. Really, the practical effect of Labor's carbon tax was that, in the 38 years to 2050, the whole of Australia would be expected to work for nothing, effectively, for a whole year in order to pay the price of Labor's carbon tax. How ridiculous is that! Senator Cameron also suggested that real wages would continue to grow under Labor's carbon tax—not true. Labor's own Treasury modelling actually showed real cuts in wages as a result of Labor's carbon tax.

Senator Macdonald asked me about Queensland Nickel. I am somewhat familiar with Queensland Nickel and they are, of course, a significant employer in Senator Macdonald's community, around Townsville. I believe that they employ about 1,000 Australians in North Queensland. Of course, whether it is Queensland Nickel or any other business across Australia that is involved in manufacturing processes or the like, if you impose a cost on them that is not imposed on the businesses that we compete with in China and other parts of the world, you make it easier for those businesses overseas to take market share away from us. We want Australian businesses to be successful. We want every Australian business to be as successful as it possibly can be so that it can employ more Australians, provide more opportunities to Australians and provide them with real increases in wages on the back of strong performance. That is what we want to see.

Whether it is Queensland Nickel or the zinc refinery or the copper refinery—or any other such processing facilities all around Australia, including aluminium production and the like—whenever you impose a self-inflicted cost here in Australia that is not faced by our competitors, you are making it harder for Australian business to succeed. You are making it harder for Australian business to employ more Australians. That is one of the key reasons why we want to scrap this bad tax. It is one of the key reasons why the Australian people overwhelmingly voted to get rid of this tax.
Senator Macdonald asked me what unions might be active in these areas. I do not know this for certain, but I am led to believe that the Australian Workers Union might be present on that site. I remember that the long-time national secretary of the Australian Workers Union, Paul Howes, went out into the public domain saying that if only one job was lost as a result of the carbon tax, he would campaign against it. He went very quiet very quickly after that because, at the end of the day, when it comes to the political interests of the Labor Party there is a symbiotic relationship between them and the union movement. The unions are not all that focused on the interests of workers when it comes to ill-thought-out, misguided ideology like imposing a destructive tax which does not make a difference to the environment but which hurts real Australians—whether it is through increases in the costs of living or putting their jobs a risk.

I will go back, at a very high level, to some of the other issues raised. We have gone through this debate for a very long time now. This has gone around and around in circles. All these issues were widely canvassed for a number of years in the lead-up to the last election. They have been widely canvassed in two extensive debates in the Senate so far. We are now having a third debate in relation to this, after an election where the Australian people passed a very clear judgement. If the Australian Labor Party and the Australian Greens political party want to continue to act in defiance of the will of the Australian people that is a matter for them, but as far as the government is concerned, we will not be complicit in facilitating a continuing and ongoing filibuster. That is why I will only rise to answer questions that have not previously been canvassed and that are actually relevant to the question before the chair, which is the Labor Party proposal not to scrap the carbon tax but to rebadge it.

Senator LUDLAM (Western Australia) (10:26): Temporary Chairman Back, I am keen to get a ruling from you—with the clerk's assistance—about what Senator Cormann just told us. He said, in answer to a set of questions posed to him by Senator Cameron earlier, that he would refuse to respond to anything that was not directly relevant to the question before the chair, which at the moment is an opposition amendment. He was then quite happy to respond to Senator Macdonald's stream of consciousness up to and including questions about union coverage of various industries. None of that is remotely relevant to Senator Singh's amendment. I am just testing with you, Temporary Chairman, that Senator Cormann is entirely in order to range as freely as he likes in his responses, and that we on the cross benches and the opposition benches, are also entirely in order to ask general questions relevant to the bill, whether they relate to the specific amendment or not.

I have been participating in debates like these for six years, and in the committee stage we are able to ask questions and test the government on specifics of the bill and ask general questions at any stage during this committee debate. I am just seeking your guidance, Chair.

The TEMPORARY CHAIRMAN (Senator Back): For the advice of the chamber, obviously there is a wide-ranging opportunity for questions to be asked and for the minister to respond. From my listening to it, that is in order but, as all senators would understand, I cannot direct the minister in how he responds. Senator Ludlam, would you care to continue?

Senator LUDLAM: I am very happy to yield to Senator Milne. But the next time that the minister refuses to answer a question on the basis that it is not relevant to the amendment I ask that you call him to order. He is not able to refuse a legitimate question from an opposition or cross-bench senator on that basis.
The TEMPORARY CHAIRMAN: Senator Ludlam, it is not within the powers of the chair to do that.

Senator MILNE (Tasmania—Leader of the Australian Greens) (10:28): I just want to go to some specifics. We heard a moment ago from Senator Cormann that the government stands by its claim that $550, on average, will go to families. I asked a specific question and I would like a specific answer. Will people who sell food and clothing and people who rent properties be able to be fined if they do not remove the tax impost? It is a critical question because Minister Greg Hunt also said that people could fined—airlines could be fined, supermarkets could be fined and landfill operators could be fined. The legal advice I have is that that is a load of nonsense and that all they are subject to are provisions, if they make any misleading statement. They cannot be fined if they do not remove the carbon tax impost. They can keep the carbon tax impost. So if airlines, supermarkets, landfill operators, any other food sellers, people selling clothing or people offering places for rent do not remove any so-called tax impost they will not be required to do so. If they make a misleading statement about what they have done, then they could be fined. But my understanding of this matter is that they will not be captured, contrary to what Minister Hunt said.

I think it is a pretty important question. The government have been taken in by the Palmer United Party. We have heard all kinds of claims about how they are going to make all these businesses give back any carbon tax impost and how they will be fined if they do not and that they will have to do it. Well, they won't—they don't. They are not captured by this legislation at all. This is a great big showmanship exercise from both the government and the Palmer United Party. The fact of the matter is that the airlines do not have to pass on the tax impost and suffer a fine, only if they lie about it. That is my understanding and I would like a clear clarification about that. Will they be fined if they do not remove the carbon tax impost? Or is it the fact that they will only be fined if they mislead the public in relation to that?

Senator CORMANN (Western Australia—Minister for Finance) (10:31): Firstly, everything that Minister Hunt has said in relation to this matter is absolutely right and the government stands by Minister Hunt's accurate assertions in relation to this matter. Secondly, we stand by the Treasury modelling, which indicates that an average household will be about $550 a year better off as a result of scrapping the Labor-Greens carbon tax. Thirdly, and finally, the ACCC already has general powers in relation to price gouging, including dealing with misleading representations across all sectors of the economy. But of course I know that Senator Milne would be very well aware of this. This is just part of a deliberate strategy by Labor and the Greens to keep alive for a bit longer a tax that the Australian people have voted to get rid of and that the Australian government is determined to get rid of.

Senator LINES (Western Australia) (10:32): Firstly, I would concur with the comments that Senator Cameron made earlier this morning in his questions to the minister, which I think still remain unanswered at this point. As I heard those questions, they certainly seemed very genuine to me. They have not yet been answered. I think he asked three or four questions during the time he was speaking.

The key point in Senator Cameron's questions or in the lead-up to the questions is all the misinformation that is around. I have got some questions for Senator Cormann on the impact of Direct Action. Like the Greens, I am very concerned about the costs, how we determine
where those costs are coming from and the fines regime. I also have some questions around Direct Action.

I would like to quote Prime Minister Tony Abbott, before he became Prime Minister, when, on 27 April 2011, he put on the Liberal Party website:

... Whyalla will be wiped off the map by Julia Gillard's carbon tax. Whyalla risks becoming a ghost town, an economic wasteland, if this carbon tax goes ahead and that's true not just of Whyalla, it's also true of Port Pirie, it's true of Gladstone, it's true of communities in the Hunter Valley and the Illawarra in New South Wales, it's true of Kwinana in Western Australia, it's true of the La Trobe Valley, Portland, places like that in Victoria. There's not a state and there's hardly a region in this country that wouldn't have major communities devastated by a carbon tax if this goes ahead …

If that is not a blatant untruth, I do not know what is. I heard Senator Back—also a Western Australian senator—in this chamber talking last week about Kwinana. I can assure our Prime Minister that Kwinana is alive and well and thriving and has not been devastated by the carbon tax. I can assure people listening to this broadcast—and indeed some of them live in those towns—that those towns are alive and well and not devastated by the carbon tax. When our Prime Minister comes out and makes those sorts of claims when he is in opposition, how can people have confidence in any of the information the government is now putting out about the carbon tax?

In relation to Labor's ETS amendment that was before the committee earlier this morning, the Australian public also knows very well that the Howard government was a supporter of an emissions trading scheme. Mr Howard, who the government likes to revere and often refers to, was a supporter of an emissions trading scheme. And, indeed, it would appear that in the past our Prime Minister, Mr Abbott, has also been a supporter of an emissions trading scheme. I heard Senator Cormann this morning state categorically that the government would not accept Labor's amendment for an emissions trading scheme.

I am failing to understand that. If the government are trying to put truth into this argument, an emissions trading scheme is something that the government have accepted in the past. Certainly Mr Howard accepted it. Indeed, our Prime Minister, Mr Abbott, is on the record as saying that an emissions trading scheme is a good scheme, a scheme that is used in other countries and a scheme that he thinks has some merit. All of us in the chamber are well aware of the views of the government's environment minister, Mr Hunt, on an ETS. When he was a student he wrote many, many papers commending an emissions trading scheme. So why the government is now just, point-blank, saying no to this is such a mystery.

Countries around the world that we often follow or look to for policies have emissions trading schemes in place, but I am yet to find a country that has a direct action policy. I like to refer to it more as a 'no direction' policy. It does not have any science supporting it, according to the research that I have done. There does not seem to be any credible science at all that suggests that direct action is the way to go. Not only that but it is a scattergun approach. You apply for some funds. If you are successful, you will be given those funds, so we could have little tiny schemes with tree planting in one area and nothing in another area.

At the core of direct action—and this makes it unacceptable if Australia is going to be a leader in clean energy, as we were under Labor, and if we are not going back to the dark ages, to be one of those outlier countries—is the fact that it completely lets off the big polluters. There will just be open slather. Once the government removes the legal cap on pollution, it is
just open slather for those big polluters. And do you know what, Minister Cormann? Trees are just not going to cut it. Planting trees will just not cut it. There is no scientific basis to the direct action policy and I would be interested to know who thought it up, who supports it, what it is going to cost and what the impacts are. None of that has been put out there. The policy has been around for a very long time, yet it has no credible scientific base.

It is good to have three Western Australian senators in the chamber, including Senator Back in the chair and Senator Cormann opposite, but this morning the *West Australian* reports that, according to the explanatory memorandum concerning the PUP amendments, it will cost business $4,640 per year in compliance costs, and this from a government that goes on and on about red and green tape. The *West Australian*—certainly not a friend of the Labor Party or, indeed, Labor governments; it is more a friend of the coalition—is asking that question. That is a figure in the explanatory memorandum around the bill. This is $4,640 per annum as increased costs to business as a result of what the government has before the parliament today.

So it is not about a $100 leg of lamb, which was an extraordinary claim by Mr Joyce. It is along the lines of saying that towns across Australia, economic hubs like Kwinana, would just be shut down. Those are extraordinary claims and they are claims made by political parties that do not have the science to back up what they are doing. The legislation that Labor put in place was scientifically based and did have credibility. We never made claims about a $100 leg of lamb or that every state and territory in Australia would see towns completely wiped out. Those are ludicrous claims. If leading scientists in other countries heard those sorts of claims, they would be laughing—we would be a laughing-stock. The government is now putting Australia in the position of being a laughing-stock.

So I ask particularly, in relation to the explanatory memorandum, as reported in the *West Australian* this morning, about this increase to business of $4,640 in compliance costs. Again, where is the reduction in red tape? We hear every day in this chamber that the government is all about reducing red tape. I want to know if that figure cited by the *West Australian*—and I assume the *West Australian* has it right—has come from the explanatory memorandum. How was that cost arrived at? Where does that cost come from? Why isn't the government being a little more up-front about that massive increased cost to business? Four thousand six hundred and forty dollars per annum is a massive impost on businesses. We know in the Australian community that our businesses are small businesses. What runs the Australian economy is small business. What an impost!

Businesses, and certainly businesses in Western Australia and on the thriving Kwinana strip, which has not been devastated by the carbon tax and is still operating, must be reeling this morning when they see that the government has imposed yet another cost on them, with no consultation at all. A deal was done in the corridors outside of the Senate, in the darkness of night. There was no consultation with the business community and no indication from the Abbott government that it was about to impose a big, fat, new tax—an imposition—on the business community. The government says it is about jobs and that it wants to build the economy but sees fit, because it is so intent on pushing through the repeal of Labor's clean energy bills, to have a complete disregard of the business community and a complete disregard of small businesses, particularly those in Western Australia, which I represent, and impose a new cost of $4,640.
Last night, representatives from the Chamber of Commerce and Industry, which represents businesses in Western Australia, were here. I wonder if they asked the government ministers and members who were present at that function why the government sees fit to impose this massive, big, new, fat compliance cost of $4,640 on businesses.

I would be interested to know why the government sees fit to just vote this down—as I am presuming will happen. I do not want to put words into Senator Cormann's mouth, but I did hear him say that the government was not going to support Labor's amendment. I would really be interested to know why a scheme which has science behind it, which is well thought out, which is fair, which is not a scattergun, which looks at what big polluters are doing and says to polluters, 'Yes, we want you in our economy but there is a cost to doing business in Australia, because we want a community and an environment that is fit to live in,' is not supported by the government.

The government seem to have lost sight that we live in a community. The government seem to think that we live in an economy and it is all about the big end of town and big business. I think that is demonstrated by this $4,640 per annum compliance cost burden that they have just imposed on small businesses across the country—with no consultation. It was a last minute deal done in the corridors out there to enable them to move their legislation forward. If that is not cheating the Australian voters, I do not know what is. That is not what the coalition said they would do when they were opposition. They never said, 'Guess what, small businesses in Australia, we are going to increase your costs by $4,640 per annum. We are going to put that cost on you.' They said quite the reverse—and they also made the ridiculous statements about the cost of a leg of lamb and that all of these towns across the country were seemingly going to be wiped off the map. But, no, now their deal has left Australian businesses worse off.

Senator CORMANN (Western Australia—Minister for Finance) (10:46): I have to say hypocrisy, thy name is Labor. For a Labor senator in this chamber to have the gall to talk about compliance costs for business when our measure before the Senate to scrap the carbon tax will actually save business $85.3 million per annum, year in and year out, in reduced compliance costs—

Senator Birmingham: How much?

Senator CORMANN: It will save $85.3 million a year every year—year in and year out. Senator Line comes in here and somehow suggests, 'Ooh, the west discovered something that the government was trying to hide.' We tried so badly to hide it that it is actually spelt out in great detail in our explanatory memorandum. If Senator Line had—

Senator Lines: Mr Temporary Chairman, I am not sure if it is a point of order, but my name is 'Lines' with an 's' on the end—thank you.

The TEMPORARY CHAIRMAN (Senator Back): Thank you very much. I appreciate that, and I will draw that to the minister's attention.

Senator CORMANN: I apologise to Senator Lines. I put it down to my inadequate capacity to pronounce English words appropriately as a non-English speaking background senator in this chamber. But that intervention does not take away the fact that Senator Lines has put to the chamber that we have somehow tried to hide the fact that we are taking measures to ensure that the big end of town—as the Labor Party like to call it—passes
through the benefit of the cost reductions that come with scrapping the carbon tax to
consumers and to small business. For Senator Lines to come in here and criticise us for that,
when the compliance burden on businesses across the whole economy that we are getting rid
is worth $85.3 million a year, really is quite extraordinary.

Consistent with the approach of Senator Cameron, she took a full 15 minutes to repeat ad
 nauseam the same question over and over. What we have here is a Labor-Green filibuster—a
filibuster from a Labor-Green opposition who clearly still cannot accept the verdict of the
Australian people at the last election. Senator Lines, the reason I know what you are doing is
that I have been there—I have been exactly where you are sitting now. I have run these sorts
of debate out of opposition, and I know exactly what you are doing. I know that you are trying
to run down the clock—and, clearly, you are keen to still be here on Saturday, Sunday and
Monday, because we will stay here until this legislation is dealt with. We will stay here until
the Australian Senate has finally accepted the will of the Australian people as expressed at the
last election.

Senator Lines quoted certain talking points and it looked like they had been emailed to her
by Mr Shorten's office. She was reading them from her IPhone. I was going to ask at some
point whether Senator Lines could table the document that she was reading from but, given
that it was an email that was sent to her either by Mr Shorten's office or her own electorate
office, I guess that would be difficult. I would have liked to have seen the context within
which those particular remarks were made. But, when it comes to claims in relation to
Whyalla—and I see my good friend and valued colleague—

Senator Lines: Mr Temporary Chairman, I would seek your guidance on this. I am not
sure if it is a point of order, but I did quote the context. I gave the date on which the now
Prime Minister made that comment and the place I found it.

The TEMPORARY CHAIRMAN: Senator Lines, that is a debating point; not a point of
order.

Senator CORMANN: It is great to see my good friend and valued colleague from
Western Australia. The federal member for Brand is here in the chamber with us. If I am not
mistaken, I believe he is a proud son of the town of Whyalla. He is nodding—just for the
benefit of Hansard. Guess who made the claim that, as a result of Labor's carbon tax, Whyalla
would be wiped off the map. Guess who made that claim. It was none other than the state
secretary of the Australian Workers Union. That is who made that claim. I remember it well,
and it was followed shortly by none other than the national secretary of the Australian
Workers Union, as reported on the front page of the Australian, saying, 'If one single job is
lost as a result of the carbon tax, I will oppose it.' But, of course, that did not last very long.

There are good people in the Labor Party. I am a great believer that there are very good
people on all sides of politics. All of us are trying to do the right thing in the national interest.
We come at it from different perspectives, but fundamentally we all want to do the right thing.
And I believe that there are still people in the Labor Party who care for workers. I believe that
there are still people in the Labor Party who care about stronger growth and who care about
opportunities for everyone to get ahead. But you had better get rid of that green tinge in the
Labor Party, because it is against the national interest for us to continue to have taxes that are
based on—
Senator Milne: Mr Temporary Chairman, I rise on a point of order. This is the committee stage and what we are witnessing is a filibuster.

The TEMPORARY CHAIRMAN: Thank you, Senator Milne. That was not a point of order. Resume, Minister, and please address the question.

Senator CORMANN: The Labor Party and the Greens in this chamber cannot accept the facts. They come in here and give 15-minute speeches, repeating the same question ad nauseam, repeating the same erroneous assertions ad nauseam, and when I come in here to provide a response to the political attack points and to some of the questions which have been put, I get interrupted by point of order after point of order. Senator Lines made the point that the Howard government in 2007 supported an emissions trading scheme. That is, of course, true, but guess what? The world has changed since 2007. To put it in language you might understand, you might remember a guy called John Maynard Keynes. I know that people on the other side of the chamber are all in favour of Keynesian economics when it suits them. To use the words of John Maynard Keynes, 'When the facts change, I change my mind. What do you do?'

Remember when former Prime Minister Kevin Rudd went to Copenhagen? He was desperate to get the Carbon Pollution Reduction Scheme through the parliament before he went off on his 'Kevin 747' jumbo jet to do a deal to ensure there were carbon pricing agreements right across the world because Kevin was going to fix it. But guess what? He failed. It was very clear after Copenhagen that there was no prospect of an appropriately comprehensive global agreement to price carbon. Remember the absolutely outrageous way in which former Prime Minister Rudd described our friends from China who were also participating in that particular conference—an outrageous and completely unbecoming way for an Australian Prime Minister to refer to our friends in China? What became clear in Copenhagen was that there was no prospect of an appropriately comprehensive global agreement to price carbon. In the circumstances, we made a judgment on Australia's national interest.

In the absence of an appropriately comprehensive global agreement to price emissions in the way suggested, in the absence of any likelihood that that will change at any time in the future, you have to remember that Labor in 2008-09 was trying to say to us that the carbon price modelling was based on an assertion that the United States would have a fully-fledged emissions trading scheme, equivalent to the Australian scheme, in place by 2010. Guess what? It did not happen. Then the next modelling suggested I believe that they would have one in place in either 2015 or 2016. Guess what? It will not happen. So just accept the facts.

Accept that the facts have changed. Accept that the government made a judgment on what is in the national interest. Accept that we made a judgment that we do not want to impose sacrifices on the community, that we do not want to weaken our economy for something that does not make a difference to the environment. We can continue to go around and around in circles and continue to go through the debate which we had ad nauseam in the lead-up to the last election, on which the Australian people passed judgment. Senator Lines asked who is supporting our policy. Guess what? Here in Australia we have a very old-fashioned way to assess what policy propositions are being supported and it is called an election. There was an election in September last year. The election result was very clear. You might not like it. You might not accept it. You might be unhappy about it, but at the end of the day it is the job of
the government to deliver on the commitments we made to the Australian people in the lead-up to the last election and that is what we will do.

You can give us as many 15-minute rants, repeating the same question ad nauseam to keep this debate going into next week. It will make no difference. We will not stop until this terrible carbon tax is gone. We will not stop until we have delivered the benefits to families, to pensioners and to our economy which come with scrapping this bad tax.

Senator MILNE (Tasmania—Leader of the Australian Greens) (10:56): The Australian community was left in huge confusion last week because on Thursday Mr Hunt and Minister Abetz said that they would accept the Palmer United Party amendments in full and legislate them. I said on Friday that there was no way that would happen once the Australian Government Solicitor had a look at them and that is exactly what has happened. Over the weekend, they changed. They have now been incorporated into this government legislation but the community and business are still really confused as to what it means.

So I do not appreciate the minister not being specific about this because I can tell you that out there people who sell clothing, supermarkets, airlines and the general community do not understand who is going to be made, forced, to have a legal obligation to take the price off carbon, who is going to have to report what they do and who is going to be captured by it? My questions are very specific. I would like answers to them but each is quite clear that, if we do this in the normal way where I would ask some questions, the minister would answer and we would go through it, that is not going to happen because filibusters are going to be set up. So I am going to have to go through the questions now and I would like the advisers to provide answers to the minister because I can tell you the answer I had just a minute ago from the minister does not make sense to me. I do not believe it is the right response under the legals and I think we need to know.

The Palmer United Party has gone out there and told the community that these amendments will require every business which puts a price on carbon to take it off or they will be subject to these penalties. In fact, that is not the case, as I read the legislation, and I think the community needs to know. I am going to put a series of specific questions to the minister and I would like specific answers. The first one goes to the cost-of-living estimate. The minister said he stands by the $550 estimate. The Treasury modelling says $250 of that $550 is comprised of food, clothing and rent. Given that my understanding of the legislation is that people who sell food, clothing and rent will have no legal obligation to take the price off carbon under these bills, then the $550 cannot stand. At best it would have to be a $300 estimate if indeed the only people captured under this legislation are, as other government ministers have said, electricity and gas retailers. I would like some specifics here in answer that particular question. I want to go through the rest because there is also a lack of clarity out there, particularly in relation to synthetic greenhouse gases.

Minister Hunt and the Prime Minister went to a business in Canberra called Frozpak and said that, because refrigerant gases were going to triple in price, the cost impact of the carbon price to Frozpak was going to be $60,000 a year. My understanding from reading this legislation is that the ACCC will: have no power at all to, firstly, require Frozpak to show how the savings have been passed on; or, secondly, have no power to fine them. I want to get clarity on this, because Frozpak would be a pretty typical business in the area of refrigeration
I want to know who is captured by that, because my understanding is that it is in relation only to misleading statements and in relation only to price exploitation.

I want to go through some other specific ones. In the definition in 60A an electricity retailer is: 'any other entity who produces electricity in Australia'. That is the definition. I ask the government: who—other than licensed retailers in the states and territories—is the government trying to capture in this catch-all provision? In terms of 'any other entity that produces electricity in Australia', apart from licensed retailers in the states and territories, who is being captured? I ask this because, if a household has a solar panel on their roof—

Senator Cormann: Are you here for the filibuster, mate?

Senator Dastyari interjecting—

Senator MILNE: These are not filibusters. These are direct questions.

Senator Cormann interjecting—

Senator MILNE: Mr Chair—

The TEMPORARY CHAIRMAN (Senator Back): Order! Senator Milne, please continue.

Senator MILNE: Mr Chair, I think what has happened here is that the government has conned the Palmer United Party into thinking these provisions apply all over the place, when they do not. The government knows that this is all over the place and will be subject to legal challenges. When the legal challenges come, the whole lot will fall over. The government will have got what it wanted, the abolition of the carbon price, and the Palmer United Party will look stupid for having made a complete mess of it. But the government does not care because they have got what they want. That is why I want answers to these questions.

So: if a household has a solar panel on their roof and they are selling their electrons back to their retailer, and therefore have to comply with division 2A, they are committing a strict liability offence of between $65,000 and $85,000 for not providing substantiation notices. The same thing will occur to a hospital with a co-generation plant it feeds into the grid or another building. Minister, is it true that, if you have a solar panel on your roof or a co-gen operation that sells into the grid—you are going to be subject to a fine of between $65,000 and $85,000 if you do not provide a substantiation notice? That is a specific question.

My second question is: is there a difference between 'synthetic gas importer' and a 'bulk synthetic greenhouse gas importer' in the definitions? Or, is it anyone who holds an import licence? How many holders of import licences are there in Australia? How many customers do those licence holders have? What volume of expected greenhouse gas emissions do these licence holders control?

The threshold for the ACCC to bring a legal action under proposed section 60C is that price exploitation must be 'unreasonably high'. Can the minister outline what sort of exploitation, in terms of carbon gouging and pricing, is going to be deemed or classed as 'unreasonably high' for the purposes of the ACCC being able to bring legal action? Does the minister agree that, by definition, price exploitation can occur if it is 'high' but 'reasonable'? What is the difference between 'unreasonably high' and exploitation that is 'high' but that the government or the ACCC deems to be 'reasonable'?
What is envisaged in section 60C of an 'indirect cost saving attributable to the carbon price'? Why is it needed beyond a 'direct cost saving'? All of these provisions refer to 'direct costs' and 'indirect costs', but 'indirect costs' are not defined. So I would like from the government the definition, the understanding, of what 'indirect costs' attributable to the carbon price are, for the purposes of all these substantiation notices and documents and the like? And why is it there? Why isn't it just the direct cost saving which should be able to be measured?

Further: are there any synthetic greenhouse gas manufacturers in Australia? If so, why don't they have to comply with these provisions? Why is it only people who are importing? Why isn't it people who are here manufacturing?

In section 60CA, how was the 250 per cent figure arrived at? Is the government concerned it will be an inadequate penalty for a company? For example, if a pensioner is ripped off by $200 and somebody makes the assumption that that is an 'unreasonably high' rip-off, then they will have to pay the Commonwealth $500. In that scenario, would the Commonwealth pay the pensioner $200 or $500 or nothing? There is no legal obligation to actually pay anything.

An electricity retailer will commit a strict liability offence if they do not inform their customer of the expected cost savings. Do they have to inform all their customers directly? Or is putting something on their website sufficient to fulfil the requirement of 60FE? People want to know that. People want to know: does this mean they have to directly send something to every one of their customers, or do they only have to put a notice up on their website, or one circular at one time and that is deemed to be complying with the regulations? These are serious questions that people want answered. I can tell you that people out there with solar panels on their roof have been onto me, saying: 'Why are we captured by this? Do we have to put in a substantiation notice?' That is why I have an amendment; to clarify that. I will be going to that shortly.

I want to go back to the issue of how an electricity retailer might commit a strict liability offence if they do not inform their customers of the expected cost savings. If they have to inform them, what happens if, say, an envelope packing machine failed to put that notice in a customer's bill? Will that trigger the strict liability offence? These are serious questions, and I would like the minister to respond to them.

Before I sit down to get those answers in relation to this, I think this will show that next to nothing will be forced to be passed on by anybody. We have seen a great huff and puff, a lot of hot air, a lot of legal challenges, a lot of frustration and nuisance, but nobody in the end will be any better off in terms of anything passed on.

As the amendment that is before us is on an emissions trading scheme, I want to finish by saying that the Palmer United Party said it supports an emissions trading scheme. The Greens have compromised by saying: 'Right, we have an emissions trading scheme. The Palmer United Party don't like the fact that it is a fixed price of $25. We will compromise and move flexible pricing immediately, which would bring the price down to $7 or $9.' I do not like doing that, because the whole point here is to keep the price high to drive the transformation but, nevertheless, we are prepared to do it.

This is a test for the Palmer United Party. They say they support emissions trading. Mr Palmer stood up with Al Gore, the former Vice President of the United States, and said he supported an emissions trading scheme. But then the conditions started to roll in. Initially, it
was when our major trading partners had one. There was some discussion about whether that meant national or subnational, and then this week it was blown out of the water by the added issue of: now it is India that has to be in this position. Everybody knows that, if you are going to say it is to be all trading partners, all national schemes, including India, this is a mirage that keeps moving further and further away as you get nearer to it.

What happened in this place was only a mirage to give cover to the fact that Mr Palmer and his Palmer United Party are Liberals to the core. They want to govern for the big end of town, and the charade we are going through here with the PUP amendments that the government has incorporated—albeit with some help fixing them up from the government's legal team—has left this country with a mess on its hands. Ultimately, self-interest has outed here: Mineralogy and Queensland Nickel are going to benefit by multibillions of dollars over time by this abolition. I want serious answers to serious questions.

Senator CORMANN (Western Australia—Minister for Finance) (11:10): It is sad to see that the Labor-Greens coalition in Australia is alive and well. This morning we have seen a shiftwork relay and filibuster coordinated across the Labor-Greens theme. This morning we had Senator Cameron put the same question over and over over 15 minutes—

Senator Milne: Mr Chairman, on a point of order: I asked a series of specific and serious questions going to the heart of who has a legal obligation to take the price off carbon. We are asked to vote on this. We deserve an answer.

The TEMPORARY CHAIRMAN (Senator Back): Thank you, Senator Milne. You are covering ground that has been covered.

Senator CORMANN: I was going to get to the questions that Senator Milne asked in relation to an amendment, not before the chair, but a Green amendment that is yet to be moved and appropriately dealt with later in the debate.

This morning we had Senator Cameron take 15 minutes to repeat the same question ad nauseam only to rush out of the chamber before I was even able to answer. Then we had Senator Lines asking the same question over and over over 15 minutes and she has now rushed out of the chamber. Now we have got my good friend jack-in-the-box Senator Dastyari in the chamber readying himself to ask the same question over and over in 15 minutes.

Senator Singh: Mr Chairman, this is the in committee stage. Senator Cameron, Senator Lines and Senator Milne—all the senators on this side of the chamber—have asked specific questions to the minister. He is the one filibustering and refusing to answer the question—he refused to even get up before. We would like answers to these questions. We are in committee. This is serious legislation that needs proper scrutiny, and answers are needed.

Senator CORMANN: So we have had all these 15-minute political speeches, and I have only spoken for one minute and have already had two points of order. It is really quite amusing.

The first point I would make directly in response to the issues raised by Senator Milne: if she was genuinely interested in the issues she raised, she would have read chapter four of the revised explanatory memorandum which was circulated by the authority of my good friend and valued colleague Hon. Greg Hunt and my other very good friend, the Treasurer, Hon. JB Hockey MP. Over 24 pages—all of the answers are here.
Before we had Senator Lines trying to suggest that somehow some discovery was reported for the first time ever in *The West Australian* without telling anyone that *The West Australian* was doing nothing other than quoting from the government's explanatory memorandum. Now we have Senator Milne asking questions in relation to things that are covered in some detail in our explanatory memorandum.

To go to the specific issues that she raised, let me be very clear: when it comes to solar panels, for example, they are not impacted by these measures. As defined in 13A(2)(c) of the Ozone Protection and Synthetic Greenhouse Gas Management Act 1989, these measures only cover bulk imports of synthetic greenhouse gases. There are no synthetic greenhouse gas manufacturers in Australia. Bulk importers supply all of the synthetic greenhouse gases sold here in Australia, so our measures do not cover importers of fridges, air conditioners or cars which have synthetic greenhouse gases in them, because it is much too complex and costly to cover.

The government has also made it very clear that the interpretation of 'electricity retailer' is limited to electricity retailers and electricity producers selling electricity into a wholesale electricity market to a retailer. This means that small-scale electricity producers, such as families and businesses with solar PV on their rooftops, are not covered. I will just say that again very slowly for Senator Milne: they are not covered. All she needed to do to find that information was to have a good look at the information openly and transparently published by the government in our revised explanatory memorandum.

In terms of the reductions in the cost of electricity as a direct result of scrapping the Labor-Green carbon tax, I refer you to the statements by Office of the Tasmanian Economic Regulator, which stated on 19 June 2014, in relation to electricity prices, that there would be a 7.8 per cent real fall in electricity prices with the removal of the carbon tax. The Queensland Competition Authority, in relation to electricity prices, stated on 30 May this year that there would be an 8.5 per cent fall in typical household electricity bills. The ACT Independent Competition and Regulatory Commission, also in relation to electricity prices, said that there would be an 11.6 per cent fall in the price of electricity without the carbon tax. The New South Wales Independent Pricing and Regulatory Tribunal, in relation to gas prices, stated that gas prices will be up to 9.2 per cent lower without the carbon tax. I could go on and on, but I will not, because all of these arguments have already been made ad nauseam.

However often Labor senators and Greens senators keep repeating the same erroneous assertions, it does not make them true. The bottom line with all of this, as much as we might want to continue to go round and round in circles, is that all of these issues were canvassed in great detail in the lead-up to the last election, in two very comprehensive debates in the Senate. Now we are having another comprehensive debate. It is time that the Senate acted to respect the will of the Australian people as expressed at the last election.

Specifically in relation to the other questions that Senator Milne raised around consumer protection measures, both in the original and the new bills, all of the issues that she is concerned about are adequately covered in proposed section 60G in relation to price monitoring, proposed section 60K in relation to the false or misleading representations prohibition, section 60C in relation to the price exploitation prohibition—in particular, the modified 60C in relation to the carbon tax reduction obligations; the new 60CA in relation to the failure to pass on the cost savings and the penalty provisions in relation to that, the new
60FA in relation to the carbon tax removal substantiation notice and the new 60FD in relation to the carbon tax removal substantiation statements and the new 60FE in relation to statements for customers.

As we have always said, the government was always determined to ensure that the cost reductions that electricity generators and gas generators, in particular, are able to benefit from as a result of the scrapping of the carbon tax should be passed on to consumers and to small businesses by way of lower electricity and gas prices. We had already taken significant steps to ensure that happens. As a result of the positive and constructive interaction between the government and the Palmer United Party, we have been able to improve even further on what was already a very strong set of provisions. The government is very pleased that the Palmer United Party took such a constructive and positive approach. Of course, the Palmer United Party, like the coalition—and like the Labor Party—went to the last election promising to remove the carbon tax. At least the Palmer United Party is true to its word to the Australian people, whereas the Labor Party is not, yet again.

We can have the ongoing relay filibuster going on—I see that Senator Bullock has now arrived in the chamber, and no doubt he is going to join in straight behind Senator Dastyari with another 15-minute filibuster. But, of course, we all know that in the lead-up to the second version of the WA Senate election—the by-election that we should not have been required to have—it was none other than Senator Bullock who went to Western Australia to say that the Labor Party was scrapping the carbon tax. Sadly for him, that was on the very same day that the Labor Party was voting in this chamber to keep it. I understand why Senator Bullock would have been confused, because he would have been of the view that that was the position of the Labor Party. I see him nod. I am sorry that the Hansard does not pick up a nod, but I saw you nod that that was your belief—that the Labor Party had a policy to scrap the carbon tax. This is the flyer that was circulated in the 2013 election—

The TEMPORARY CHAIRMAN: Minister, please do not use visual aids.

Senator CORMANN: I had one that was authorised by then Senator Louise Pratt that says: 'Carbon tax abolished. Kevin Rudd and Labor have removed the carbon tax, saving the average family $380.' That is what you went to the last election telling the Australian people. It does not say anything in here about an emissions trading scheme. It does not say anything in here about the fine print that you suggest to people, somehow, was hidden somewhere else. You went to the Australian people with flyers and materials telling them that you had removed the carbon tax. Now you are still playing games and still running a filibuster in order to try and keep it for as long as possible. The carbon tax is still here. It went up again on 1 July because the Labor Party is standing in the way of the government doing the right thing by the Australian people, and that is to get rid of a tax that is not in their interest.

Senator SINGH (Tasmania) (11:20): I have questions for Minister Cormann, but I would like answers to the questions. I would like him to not have such a flippant approach to this debate, because the bills that are before us this week are different from the bills that were before us last week.

Senator Cormann: It is the exact same amendment.

Senator SINGH: The amendment was not put. The third amendment was not put by PUP.

Senator Cormann interjecting—
The TEMPORARY CHAIRMAN (Senator Back): Please allow Senator Singh to continue her argument, thanks, Minister.

Senator SINGH: I would like to ask questions to Senator Cormann specifically based on the fact that this is the in-committee stage. All the senators who have contributed to this in-committee stage this morning have asked questions, and yet Senator Cormann filibusters himself, as a minister, by standing up and saying that the contributions that have been made, the questions that have been asked, by senators on this side are filibustering. They are not filibustering, and they are not erroneous assertions.

I do take to task Senator Cormann's remarks in that regard. They show that he is certainly not serious when it comes to this in-committee stage of scrutinising what is before us in this chamber. He has umpteen advisers sitting there, so he has all the support he needs to get the answers to questions from Senator Cameron, Senator Lines, Senator Milne and me—and there will be more senators, I am sure, who have specific questions. He has support from those advisers to provide answers to this Senate.

But if Minister Cormann is not up to the task of answering these detailed questions, then maybe he should pass it on to Senator Birmingham, who, I know, does have knowledge in this field of environmental policy. In fact, I think I would be right in saying that Senator Birmingham supports an emissions trading scheme, as I know a number of Liberal senators do—in fact, I think it was a unity ticket, once upon a time.

My question to the minister, Senator Cormann, specifically goes to the price pay-through mechanism. That is something I asked Senator Abetz about on Monday in question time. I would like to know if a regulatory impact statement has been undertaken—and of course I am going to the fact that the PUP third amendment is now part of the government's bill. How many entities will be subject to this regime? Senator Abetz answered by saying that he anticipated that there was no such RIS done. He also answered by saying that there were about 60 entities. So could I have clarity on the number of entities and also the list of those entities, so that we make it very clear that we are talking about electricity and gas suppliers when we are talking about the entities component of this bill.

The TEMPORARY CHAIRMAN: Order, Senator Singh. Sorry to interrupt you, but can I just remind you and, with respect, all senators that we are dealing with opposition amendments on sheet 7527, of schedule 1, specifically related to emissions trading. So could you confine your questions, and could the minister confine his answers, to that area. Could we just confine the discussion to schedule 1 and the opposition's amendments on sheet 7527.

Senator Cormann: Mr Temporary Chairman, I rise on a point of order. Again, the specific questions that were asked are directly answered in the explanatory memorandum. I refer specifically, in response to the question that was just asked, to page 89 of the explanatory memorandum that was tables in the House of Representatives, which answers that question directly.

The TEMPORARY CHAIRMAN: Thank you, Minister; wonderful. Senator Singh has, no doubt, the opportunity to avail herself of that. I will go back to you, Senator Singh, but I do ask all colleagues to confine their discussions to the opposition's amendments on sheet 7527, and amendment (3) on emissions trading.

Senator SINGH: I do note that Senator Ludlam earlier did seek a ruling from the chair—
The TEMPORARY CHAIRMAN: That is correct.

Senator SINGH: in relation to the specifics of asking questions while we are debating this amendment.

The TEMPORARY CHAIRMAN: Certainly, and, if I may interrupt you, I will just mention to everyone that we do have a long list of amendments, and it would be good to see us return to a little bit more discipline and order on your amendments. So, Senator Singh, could you continue on that.

Senator SINGH: Thank you, Chair, but I would just like to clarify that it is not a long list of amendments; there are about six amendments on the list.

The TEMPORARY CHAIRMAN: Thank you. I stand corrected.

Senator SINGH: Minister, in light of the government not supporting the opposition’s amendment for an emissions trading scheme—an amendment that has the full support of economists and scientists in Australia, including former Liberal leader Dr John Hewson—I will ask: in your support for the bill as it currently stands, not including an emissions trading scheme, how far have you consulted with business communities in relation to this bill? Also, firstly, did you consult when you gave your full support on the first amendment? Did you consult when you gave your full support on the second amendment? And did you consult before you gave your full support on the third amendment? We know from Minister Hunt that you gave your full support, and then, of course, spent the weekend trying to tidy it up. So how extensively did you consult before you accepted the PUP amendments and afterwards?

Senator CORMANN (Western Australia—Minister for Finance) (11:27): Again, in relation to the start of the questions, and in relation to the number of entities covered and the like, page 99 of the revised explanatory memorandum tabled in relation to the bill does provide all of the information that Senator Singh is looking for. We, of course, did all of the consultation that is appropriate in the circumstances, particularly bearing in mind that the most relevant and the most important consultation took place on 7 September last year—it was called a general election. At the general election, the proposition that we put to the Australian people was that we would scrap the carbon tax, to bring down the cost of electricity, to bring down the cost of gas, to bring down the cost of living and to bring down the cost of doing business. What we always said, very clearly, in the lead-up to that election was that we would take the necessary steps to ensure that the removal of the carbon tax would result in the appropriate pass-through of any cost reductions as a result of scrapping the carbon tax, to business and to consumers. We have already made a series of strong provisions in the bills that we put to the parliament to ensure that that happens. And, as part of the democratic process in this chamber, we took on board some sensible, constructive, positive suggestions by senators from the Palmer United Party. That is the way the Senate is supposed to work. Just because the Labor Party and the Greens like to make themselves irrelevant by putting themselves on the sidelines, because they want to continue to persist in acting in defiance of the express will of the Australian people, that does not mean that we should not be engaging in constructive discussions and conversations on ways to make good legislation even better, and that is what we have done. That is what is before the Senate, and that is what the Senate should vote on as soon as possible.
Senator SINGH (Tasmania) (11:29): I will follow up on that. So, Minister, you are saying that in the explanatory memorandum it lists all the businesses you have consulted, because that is what you have just said.

Senator Cormann: That is not what I said.

Senator SINGH: My question was: who did you consult before you accepted the PUP amendment and afterwards? Your answer referred me to the EM.

Senator CORMANN (Western Australia—Minister for Finance) (11:30): That is not true. Senator Singh is misleading the chamber. I referred you to the EM in relation to your question about how many businesses will be impacted by the changes that we are proposing. That answer is very explicitly provided in the explanatory memorandum. Indeed, Senator Lines from the Australian Labor Party suggested this morning that it was actually reported in The West Australian this morning—so transparent have we been in providing that information as part of our explanatory memorandum.

In relation to your question on consultation, what I said to you is that we have undertaken all of the appropriate consultation, bearing in mind that the most important consultation in relation to the measures in this bill took place in the lead-up to 7 September last year. It was called a general election. What we put to the Australian people in the lead-up to the last election was that we would get rid of the carbon tax, because that will help to bring down the cost of electricity, it will help to bring down the cost of gas, it will help to bring down the cost of living—

Senator Singh: Mr Chairman, I rise on a point of order. My question was specifically: who has the government consulted before the PUP amendment was put and who has the government consulted after they accepted it? I have not had an answer to that question.

The TEMPORARY CHAIRMAN (Senator Marshall): There is no point of order, Senator Singh.

Senator CORMANN: As I was saying, we went to the last election with a very clear proposition that we would scrap the carbon tax, because it would help families and business. It would help bring down the cost of electricity, it would help bring down the cost of gas, it would help bring down the cost of living, it would help bring down the cost of doing business and it would help create more jobs. What we also said in the lead-up to the last election is that we would do what is necessary to ensure that any cost reductions as a result of scrapping the carbon tax, when it comes to generating energy, would be appropriately passed through to families, to pensioners, to business—users of electricity.

The implication of Senator Singh's question is that Labor does not want us to take the necessary steps to ensure that the savings from scrapping the carbon tax are passed on to families, to pensioners and to business. On this side of the chamber we are very clear that we do want those savings to be passed through. Labor is suggesting, and now the Greens are suggesting, that households and businesses should not be able to benefit from the savings that come with scrapping the Labor-Green tax.

Senator MILNE (Tasmania—Leader of the Australian Greens) (11:32): To the minister's last answer: the point that we are trying to get from the minister is that all of this promise that there is a legal obligation for these companies to actually take the price off carbon is not there. What you are doing is telling another lie to the Australian people, as a government, in relation
to this. I did ask earlier for the minister to show me in the legislation—not in the explanatory memorandum, not in what Minister Hunt has said—where it demonstrates that there is a legal obligation for airlines, supermarkets, landfill operators, clothing salespeople and people who are supplying rental properties to take the price off carbon. I want to know about it in the bill. Where is the legal obligation? And then point to me how they will be fined if they do not remove the tax impost. Which provisions apply? My reading of the legislation is that there is absolutely no legal obligation for airlines, supermarkets, landfill operators, clothing operators and people providing rental properties to take the price off carbon. Where in the bill, please, Minister. You have said that what Minister Hunt says is correct. He said they could all be fined if they do not remove the carbon tax impost. That is not my reading of it, so I want to know. You have also just said that people with solar panels will not be impacted, and I am going to take that up when we get to my amendment in terms of the bill. But I ask specifically: show me the provision in the legislation that covers airlines, supermarkets and landfill operators. I believe they have no legal obligation. You show me where it clearly points out they have a legal obligation to take any price off carbon and that they will be fined or served with a penalty if they do not.

**Senator CORMANN** (Western Australia—Minister for Finance) (11:35): I have, of course, answered this question before, and I again refer Senator Milne to, in particular, section 60K in relation to false or misleading representations prohibition. There are also a whole range of other provisions that are highly relevant in relation to this: the modified section 60C, the new section 60CA, the new section 60FA, the new section 60FD and the new section 60FE all together do exactly what Minister Hunt has said. Senator Milne's reading of the legislation is wrong. Minister Hunt's assertions in relation to the effect of the legislation are right.

**Senator MILNE** (Tasmania—Leader of the Australian Greens) (11:35): I take the minister to section 60K. It talks about false or misleading representations about the effect of the carbon tax repeal on prices. The other provisions you talk about are infringements. What you are doing here is a complete misleading of this Senate, because the only thing that these companies can actually be held to account for is if they make false or misleading representations about the effect of the carbon repeal. There is no legal obligation for any of those companies to take any price of carbon impost off. Show me some other part of this legislation, because it does not exist. All it is saying is: if any company makes a false or misleading statement about the effect of the repeal of the carbon price, that would be captured by the ACCC provisions and the penalties. That is not my point.

You have just said it in here yourself. I can tell you that you will have set the cats and dogs running out there, because you have now said that airlines, supermarkets, landfill operators, people who sell clothing and people who supply rental properties do have a legal obligation to take the price off carbon and that if they do not they will be subject to penalties. That is what you have told this Senate and it is wrong. It is not in the bill. So all this talk about how the community is going to benefit and that you are going to force all these people to do things is a load of nonsense—it is not here.

**Senator CORMANN** (Western Australia—Minister for Finance) (11:37): Again, we can around and around in circles.

**Senator Milne:** No, I am asking the questions.
Senator CORMANN: Senator Milne, you and I will just have to agree to disagree. If there is one thing that the Greens and the coalition will not ever reach agreement on, it is our proposition to scrap the carbon tax, because you are fighting very hard to keep something alive that we want to remove from the Australian statute books. We want to remove it because it is bad for Australia, it is bad for Australian families and it is bad for the Australian economy.

Senator Milne: You don't understand your own legislation.

Senator CORMANN: We want to remove it, you want to keep it. That is your right, but there is a process underway where, ultimately, this issue has to be resolved. I don't accept your verbalising of my responses to the Senate and I would not want anyone to accept the Greens' interpretation of what I am saying as gospel. I have referred you very clearly to the relevant sections in the legislation that deal with the issues that you have asked about. Minister Hunt, as the responsible minister, has provided very accurate and detailed responses to all of these questions. Of course we have canvassed these issues for some time now. They have been well and truly ventilated. This debate could go on for another five weeks. I suspect there will never be a point of agreement between you, Senator Milne, and myself when it comes to the proposition that we should get rid of the carbon tax.

Senator MILNE (Tasmania—Leader of the Australian Greens) (11:39): You are absolutely right: we will never agree on abandoning the carbon price, but that is not what we are doing here. We are actually trying to understand this legislation that you have now agreed with Mr Palmer. You agreed with Mr Palmer last week that you were going to legislate exactly the amendment he had. It was changed over the weekend. We have not canvassed this before because we did not have it in front of us before. It has never been debated in here, and you are now humiliated, Minister, because you do not know your own legislation. You have no idea who it covers. You have no idea who the penalties apply to. But I can tell you one thing: the Palmer United Party have been conned because none of these things will actually apply across the board, as you are suggesting.

I want to ask another specific one—and just a yes or no will suffice—and I go back to this Canberra company, Frozpak. Minister Hunt said, with the Prime Minister there, that the refrigerant gas costs to that company would triple and that the effect of the carbon price was a $60,000 a year impost. That is what the minister and the Prime Minister said when they went to visit this company. Does that company have a legal obligation now to remove the tax impost and where will I be able to go to see that they have removed $60,000 worth to their customers? As I read the bill, they will not have to do that at all. The only people captured in synthetic gases in this are the importers, not who they sell it to. So the importer will be able to say, 'Yes, I imported the gas at X price.' But this company, Frozpak, will not have to say anything at all that will land them in trouble unless they make a false and misleading statement. If they stay mum, nothing will happen. They don't have to substantiate the claim of $60,000 that they busily got themselves and the Prime Minister into the media with—they can say nothing. Minister, is Frozpak captured by this legislation? Does that company have a legal obligation to take the price off carbon and exclude that from making false and misleading statements? Do or don't they?

Senator CORMANN (Western Australia—Minister for Finance) (11:41): Let's give Sam a go.
Senator DASTYARI (New South Wales) (11:41): I have a handful of questions, not too many, in the area of consumer protection and consumer information. Mr Temporary Chairman, would it be more appropriate to ask them one at a time or bundle them together?

The TEMPORARY CHAIRMAN (Senator Marshall): This is purely a matter for you, Senator Dastyari.

Senator Cormann: I'm sure it will take you 15 minutes anyway.

Senator DASTYARI: No, I suspect it won't, though it depends on whether you actually answer them, Minister. With the legislation as it has now been drafted there is a requirement for power and energy producers to pass on cost savings at fear of penalty if they don't do so for the component that is related to the carbon. I appreciate what you said earlier that if someone is falsely claiming that such and such pricing is happening because of a carbon component and that is not the case then obviously there is an opportunity to prosecute them. I also note comments made earlier about natural competitive tensions. Minister, what pressures are there otherwise for the non-energy producing consumers—your grocery or clothes stores or whatever other business—to actually pass on the costs? What legislative requirements exist for anyone else to do it, aside from the energy producers and the big power companies?

Senator CORMANN (Western Australia—Minister for Finance) (11:43): When Senator Dastyari says 'other than competition', he dismisses an important driver of making sure that businesses across Australia charge the lowest possible price for the best possible product. Of course, competitive tensions are what bring out the best possible value for consumers in a free market. Senator Dastyari was not in the chamber when I pointed this out. There have already been statements from all the relevant regulators of electricity prices that electricity prices will go down as a result of scrapping the carbon tax. The Office of the Tasmanian Economic Regulator stated on 19 June that there would be a real fall in electricity prices of 7.8 per cent with the removal of the carbon tax. The Queensland Competition Authority said that electricity prices would fall by 8.5 per cent in typical household electricity bills as result of the removal of the carbon tax. The ACT Independent Competition and Regulatory Commission said electricity prices would fall by 11.6 per cent without the carbon tax. The New South Wales Independent Pricing and Regulatory Tribunal said gas prices would fall by up to 9.2 per cent without the carbon tax and so on and so on. AGL, a private energy supplier, in their release on 23 June 2014, said:

… price reductions will flow through to residential and small business customers, if the carbon repeal legislation is passed by the Federal Parliament.

So it goes on. There are statements galore. Clare Savage, Group Executive Manager, Strategy and Corporate Affairs, EnergyAustralia, said:

Once the Federal Government stops collecting the tax from us, we'll then ensure those savings are passed on to our customers. If the Federal Government backdates the repeal to July 1, we will abide by that. That is our guarantee.

And so on. There is absolutely no evidence that the cost savings from scrapping the carbon tax will not be passed on.

Having said that, with an abundance of caution to ensure that there are appropriate safeguards, the government has already put provisions into the legislation—and we have canvassed them in some detail—to ensure compliance with passing on these cost savings, by
energy suppliers in particular. As a result of the constructive discussions that we had with the Palmer United Party, we have now gone even further. I confirm again what I said previously to Senator Milne—that the definition of ‘electricity retailer’ for the purposes of this is limited to electricity retailers and electricity producers selling electricity into wholesale electricity markets to a retailer. That is a very important qualification.

Senator DASTYARI (New South Wales) (11:46): You have made this point before and you have made it today. That is why I am trying to take you to a different space, outside of what has already been discussed. Obviously there are clear provisions within the legislation about electricity generators or energy suppliers to be passing on the cost. I want to get clarification. Are you saying there is no legislative requirement within this bill at all that, while the inputs—you are of the view—will go down, that will necessarily be passed on? There is no legislative requirement for anyone to pass it on?

Senator CORMANN (Western Australia—Minister for Finance) (11:47): That is not what I have said. In my exchanges with Senator Milne I referred her to the provisions that I will now refer you to. They are proposed sections 60G, 60K, modified 60C, new 60CA, new 60FA, new 60FD and new 60FE, which deal with price monitoring, false or misleading representations prohibition, price exploitation prohibition, carbon tax reduction obligations, failure to pass on cost savings, carbon tax removal substantiation notice, carbon tax removal substantiation statements, and statements for customers. Altogether, those provisions will help ensure that cost savings from the scrapping of the carbon tax are appropriately passed through to energy customers.

Senator DASTYARI (New South Wales) (11:48): I have had a look at the provisions that you quote as well. Obviously so have some other people. They relate to if somebody is making largely a false or misleading claim. As I understand it, they are not that dissimilar to a lot of the bits that were put around the GST, for when people make false or misleading claims about the GST. There were always going to be some penalties associated with that. More specifically, my question is really related to outside of anyone making a false or misleading claim—for example, if I am running a business. I am going to use grocery store X for the purpose of this example. If the energy production costs go down, as you believe they will—and you have put a legislative requirement in for them to go down, and I accept that; that is part of the bill—there is no legislative requirement in this legislation that I pass on those costs, is there? Is the argument you have made—it is an argument that other people in your party and the government have made—that competitive tension is enough and there is no need for there to be any requirement for anyone to pass the savings on? You quote parts of the bill that relate to when people make misleading claims. I accept they are there, and they should be there. What worries me is that there is nothing in this bill that ensures that I need to pass on savings that I have received. The worry and the concern that a lot of people have, and that I have, is that part of the reason why a lot of businesses have been so strongly in favour of this is that, of course, they want the input costs reduced, but does that does not necessarily translate into that being passed on? The real concern is that these are going to be absorbed and are going to be paid by consumers. That is the question I want to get your feedback on.

Senator CORMANN (Western Australia—Minister for Finance) (11:50): At risk of prolonging the debate, if you want me to put me an answer to that question on the record, I will just read out the explanatory memorandum that was tabled by the government. The
questions you have asked are explicitly answered in great detail, in a directly relevant manner, in the explanatory memorandum. If you want me to read them out, I will start. In chapter 4, on page 51, it says:

Schedule 2 to the Main Repeal Bill amends the CC Act—

The Competition and Consumer Act—

to prohibit carbon tax-related price exploitation, to ensure that all cost savings attributable to the carbon tax repeal are passed through the supply chain for regulated goods, and to ensure that lower prices resulting from the repeal of the carbon tax are passed on to consumers of regulated goods.

It then goes through:

Schedule 2 to the Main Repeal Bill also amends the CC Act to:

- prohibit false or misleading representations about the effect of the carbon tax repeal;
- require the ACCC to provide retailers of electricity and natural gas, and entities that are importers of bulk synthetic greenhouse with a carbon tax removal substantiation notice;
- require retailers of electricity and natural gas, and entities that are importers of bulk synthetic greenhouse gases, to provide the ACCC with a carbon tax removal substantiation statement;
- require entities that are retailers of electricity and natural gas to provide their customers with a statement that explains how carbon tax removal savings will be passed on to them;
- provide the ACCC with additional price monitoring powers in relation to the carbon tax repeal;
- provide for stiff penalties to entities that fail to comply with these provisions.

The explanatory memorandum goes on to say:

The removal of the carbon tax is expected to lower input costs for some businesses. In some markets this will flow on in the form of lower consumer prices. However, in selected markets, especially where competition is limited, businesses may think that it is open to them not to pass through savings from the carbon tax repeal.

4.4 The amendments contained in Schedule 2 to the Main Repeal Bill will ensure that consumers and businesses are not exploited by suppliers following the repeal of the carbon tax by prohibiting price exploitation with respect to certain key goods (such as electricity and gas) and false or misleading representations about the effects of the carbon tax repeal on prices. Price exploitation will occur whenever an affected entity does not pass through all of its cost savings that are directly or indirectly attributable to the carbon tax repeal. These amendments are based on those made when the GST was first introduced, but impose greater levels of consumer protection and stiffer penalties on entities that do not comply with their cost saving pass through obligation.

I could go on but I won't because, unlike the Labor Party and the Greens, I am not involved in this shiftwork relay filibuster. I just want to point out to the Senate and to those listening and to you, Senator Dastyari, that you are being entirely unreasonable. You are participating in a filibuster. All of the questions you are raising are answered in the explanatory memorandum. Do you want me to read out the 24 pages of the explanatory memorandum?

Senator DASTYARI (New South Wales) (11:53): The minister has different views from mine on consumer protection, and that is fine. But I take offence at the idea that we should not be asking questions about consumer protections and how far they extend—specific questions I have been asking that are not covered by the explanatory memorandum. I thank the minister for reading his answer into Hansard. It was an effective justification of the point we have been making—which is that there are not protections in this legislation beyond certain key
industries that have been identified and there is a real and legitimate concern that, outside of a few sectors, savings are not going to be passed on.

The minister also made reference to some changes to the ACCC. I want to get my understanding of this correct. Have provisions been made for the process that is going to be put in place for people to be able to make complaints to the ACCC more easily, if this legislation is passed, about businesses not passing on the savings and about false and misleading claims? I accept that there is only a legislative requirement for certain businesses to have to pass it on; with the others, we are going to try and let the market fix it for us. But the minister talked about how incredibly improper it is for businesses to make false and misleading claims about the impact of climate change and the price of carbon. There are people making claims in a false and misleading way that prices are going to be reduced or costs absorbed. Does that only apply to businesses, minister, not individuals or people making claims outside of that? Yesterday the Senate sat until quite late, but I managed to make the time to go to Coles in Manuka, which is well known to a lot of us. I went there to buy a leg of lamb. Even though it is the holy month of Ramadan I still thought I would eat a bit of ham. It was not $100 though; it cost about $26. Minister, you are saying this is limited to those who make false or misleading claims. If a politician or a public servant makes false claims about the price of carbon, is that okay?

Senator CORMANN (Western Australia—Minister for Finance) (11:56): I thank Senator Dastyari for his cute political point. He served as the state secretary of the Labor Party in New South Wales, so I am sure he knows very well that the ultimate judge and jury in relation to the accuracy, relevance and appropriateness of statements made by members of parliament is the Australian people. The Australian people made a judgement on 7 September. And guess what? You lost, and people voted against your carbon tax.

Senator Dastyari would be well aware that the ACCC has power over corporations, not individuals. That is not a new development; it has always been the us. So I am not sure whether that was supposed to be a trick question or he is suggesting to the Senate that he has made some unbelievable discovery that no-one has ever heard of before. Just to be very clear: the ACCC has always been an organisation that has powers in relation to the conduct of corporations rather than the conduct of individuals.

I also reject some of the other assertions—that there is no power for the government to do anything in relation to price exploitation by anyone other than energy suppliers. Senator Dastyari clearly has not read the explanatory memorandum—and Senator Milne, Senator Singh and Senator Lines clearly have not read it. You are just coming in here with prepared talking points and questions that have been provided by Mr Shorten's office. There is a capacity in the bill—it is very transparent and there for all to see—to extend section 60(1) to other sectors if problems were to emerge. We do not believe there is any evidence that there would be problems emerging. But this capacity—along with the competitive pressures in the marketplace that I have already mentioned before—is a clear incentive for businesses across Australia to do the right thing and reduce prices. The ACCC and the government will of course continue to monitor what all businesses do.

We have got to remind the chamber that it is Labor's carbon tax that pushed up the cost of electricity, it is Labor's carbon tax that pushed up the price of gas, it is Labor's carbon tax that pushed up the cost of living, it is Labor's carbon tax that pushed up the cost of doing business...
in Australia. We have already had statements from all of the relevant price regulators when it comes to electricity and a whole series of private sector energy suppliers that they will pass on the savings that come from scrapping the carbon tax. We are very confident that on the Treasury modelling, which was based on the same methodology as the modelling done when Labor claimed a $380 saving from modifying the carbon tax, we will be able to deliver a $550-a-year saving from scrapping it.

Senator MILNE (Tasmania—Leader of the Australian Greens) (11:59): Senator Cormann, you are misleading the Senate in what you are saying. You said earlier here today that Minister Hunt was right when he said that the airlines, the supermarkets, the landfill operators could be fined if they did not remove the carbon tax impost. That is not in the legislation. It is not in the explanatory memorandum. The scope of any substantiation notices applies to an electricity retailer that sells electricity to electricity customers; a natural gas retailer that sells natural gas to natural gas customers; and a bulk SCG importer that sells synthetic greenhouse gas to SCG customers. That is it. So you have told the Senate one thing that is completely wrong. You do not even understand your own legislation, yet you are out there saying things. You could have said that Minister Hunt got it wrong last week, but you did not. You said he got it right. But it is not in the legislation. What is more, you just stood up in answer to Senator Dastyari, trying to imply that monitoring covers some sort of legal requirement to remove the carbon price. It does not. The ACCC simply has the power to monitor changes in goods, monitor changes in this, monitor changes in that and if someone has unreasonably exploited—and that is why I asked earlier what 'unreasonably exploited' meant—is that okay? You cannot explain that.

I want to take you back to the issue of solar panels. You referred me to the explanatory memorandum. You must have read that. Let me tell you: the word 'wholesaler' does not appear in the bill anywhere. The only place you will find it is in the minister's second reading speech. Do you know why? Because he is desperately cobbling together some sort of explanation in the hope that it might guide the courts, if this matter were to be taken to the courts, in saying that it does not actually apply to people with solar panels. But let me take you through box and dice, Minister, as to why, as the legislation currently stands, it does apply to someone with solar panels on their roof.

The scope for providing a substantiation notice is: an electricity retailer that sells electricity; a natural gas retailer; and a bulk SCG synthetic greenhouse gas importer. So who, by definition, is an 'electricity retailer' in the bill? It is:

(f) any other entity who produces electricity in Australia.

An 'electricity customer' means an entity that purchases electricity. So if you produce electricity and sell it to someone who purchases electricity, then you are captured by this substantiation notice. That is why the Greens have a very sensible amendment to remove it.

In your rushing about to try to accommodate the Palmer United Party, you got yourselves into a mess and you cannot explain any of it today. And, as I said before, you know full well that this will fall over in the courts and, when it does, you do not care. You do not want all this difficulty out there about substantiation notices. You do not want people to have to explain anything. When you went around Australia and said, 'Frozpak in Canberra is going to incur $60,000 worth of carbon cost impost in one year,' you knew, as well as I did, that it was
not true at the time it was said. This whole thing has been designed to ensure that people never have to substantiate it.

All that has to happen is that someone has to make false or misleading statements, which is pretty customary under various other acts for business et cetera. But the point here is that you have conned a group of people into thinking you are going to require all of these so-called cost savings to be passed on and the only people who will be required by law to do it are, as I said, those within the scope of the act: electricity retailers, natural gas retailers and bulk importers of synthetic greenhouse gases. All the rest is just hot air, reports and, supposedly, monitoring and somebody is going to make a judgement about whether or not there is real substantiation.

I ask the minister, since he is so familiar with the legislation and the explanatory memorandum, to point to me where in the bill it says that an electricity retailer will not be captured, because it applies to people selling to a wholesaler.

Senator URQUHART: A lot of this debate has been consumed by the notion that, by simply removing the carbon price, it will cut power prices. It is a simple proposition—

Senator Cormann interjecting—

Senator URQUHART: No, I am going to get to a question in a moment, so if you would just hold on. The proposition is that if you impose a tax, prices go up, and then if you remove that then prices go down. But taxes, particularly the carbon price mechanism, are designed to change that behaviour. We have seen there have been fewer emissions in the electricity sector as a result of carbon pricing, which has been a positive behaviour change. I want to ask the minister about the negative impacts of this government’s rhetoric on carbon pricing. How has this government in fact created incentives for various bodies to maximise their benefits, while the carbon price remains in existence?

In this instance, I am specifically talking about Hydro Tasmania and the potential negative impact for Tasmanian consumers from both the constant negative rhetoric from the government about the carbon price and its upcoming repeal. On The Conversation website, it was reported by Professor Mike Sandiford, Professor of Geology and Director of Melbourne Energy Institute at the University of Melbourne, that Hydro Tasmania have sought to produce significantly more amounts of electricity while the carbon price has been in place than they would have, given the levels in their dams.

Of course, Hydro Tasmania produces hydroelectric power. It is wholly reliant on rainfall and that rainfall gets collected in its dams. So while there has been a course of strong dividends for the Tasmanian government, as the shareholder of Hydro Tasmania, it may be that these were in fact short-term profits from shorting the carbon price. So the carbon price’s imminent repeal has provided an incentive for the hydro to drain its dams to realise the windfall gains wherever it could.

Mr Abbott’s promise that, through repealing the carbon tax, household costs will fall $550 per year on average may, if rainfall in Tasmania declines below average over the coming years, turn out to be the inverse with increases in wholesale electricity prices in Tasmania. Because Tasmania will be importing large amounts of power from Victoria and the national
electricity market at a premium, I want to know if the minister, the Tasmanian Liberal MPs in the other place and the Tasmanian Liberal senators have considered this issue.

It has also been reported that Tasmanian hydro generators have been selling electricity into the mainland market at unprecedented rates, drawing down storage levels dramatically since the carbon price was implemented in July 2012. Levels in the Gordon dam, which has almost one-third the total storage capacity, are down to nearly 20 per cent—levels not seen since the millennium drought despite significantly above average catchment rainfalls over the last year. In the last years of the millennium drought up to late 2009, hydro supply in Tasmania was so limited that it could not supply Tasmanian demand so Basslink flowed mainly south with the export and import of mostly Latrobe Valley supplied electricity. Reservoir levels were then at less than 30 per cent capacity. So according to the AEMO in 2008-09, when the Basslink flow was 90 per cent southward, Tasmanian wholesale prices were around 25 per cent higher than in Victoria.

The situation changed with the start of carbon pricing, with storage averaging above 50 per cent from three good years of rain and from a doubling of Victorian prices to almost $60 per megawatt hour. Hydro power was sent northwards across Bass Strait at unprecedented rates. Then according to AMEO in 2012-13, the flow direction was a reverse of the four years previous with 90 per cent of flow northwards. The impact of this increase in supply was that the July storage levels have fallen to around 25 per cent. So without the carbon price, it was reported that Victorian prices will drop to around $30 per megawatt hour and that will see no price signal, no net export, no benefit for Tasmania. The concern I have is that the draw-down of storage has risked future supply in the event of a return to below-average rainfall conditions. If reserves prove insufficient and Tasmania again needs to import, Tasmanian wholesale prices could soar to at least 25 per cent of Victoria's.

Before posing my final question to the minister, I want to remind the chamber that the coalition government has sought to frame this debate about the utility bills paid by households and business. We heard the minister talk about the figure of $550 a moment ago. So in seeking to repeal the carbon price, the main purpose seems to be the miraculous reduction in utility bills and in overall costs on households and businesses. Never mind that the rise in electricity has overwhelmingly been the fault of infrastructure upgrades to distribution networks. And never mind that there are different prices and usages in every state.

The Prime Minister was unambiguous in stating the reductions that Australia could expect if these repeals bills passed.

The first impact of this Bill will be on households whose overall costs will fall by about $550 a year on average.

The minister talked about that a moment ago.

Because of this Bill, household electricity bills will be around $200 lower next financial year without the carbon tax.

They were some nice weasel words by the Prime Minister in the use of the term 'next financial year'. He reflects that Labor's emissions trading scheme will have reduced power prices significantly. But to state that 'household costs will fall $550 per year on average' when power is obviously only going to increase in the first year is completely naive and dishonest.

The new evidence raised on the Conversation website by Professor Sandiford shows that repealing the carbon price and the uncertainty for the past four years may actually see power
prices rise considerably in Tasmania. Minister, can you guarantee that the average Tasmanian household costs will drop by $550 each year and every year after as guaranteed by the Prime Minister?

Senator CORMANN (Western Australia—Minister for Finance) (12:12): What we see here today in the Australian Senate is that the Labor-Green coalition that is desperately trying to hold on to its bad carbon tax is alive and well. What we have got here today is a Labor-Green shift work tag team relay filibuster. The question that Senator Urquhart asked, as she would be very well aware, was the exact same question asked during the same stage of the debate this time last week. I provided a very direct answer in relation to the matters she raised on hydro. I am going to continue to support the Labor-Green tag team shift work relay filibuster because it is in the national interest for the Senate to pass these bills as soon as possible.

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:12): I would like to ask the minister again—I did ask before but I did not get an answer—what is envisioned in section 60C of 'indirect cost saving attributable to the carbon price'? I asked before why did people in their substantiation statements have to go beyond 'direct'. Since 'indirect' is not defined, and if people do not put in their substantiation statements they can face a fine to $68,000-$85,000, can the minister please inform the Senate why it is not defined in the legislation what an 'indirect' cost is? And what do the people who are subject to this legislation—let us be real here, we are only talking about electricity retailers, natural gas retailers and bulk synthetic greenhouse gas importers—have to understand by the notion of 'indirect'? What does that actually mean for them?

I did ask the minister before, and this goes to his claim that everybody is going to be subject to legal action, what is meant by for the ACCC to bring on legal action under proposed section 60 the price exploitation must be 'unreasonably high'? Can the minister outline what kind of exploitation must occur for it to be classed as 'unreasonably high' because we are only talking about electricity, gas and synthetic greenhouse gas suppliers. They are going to make a judgement in their substantiation statements about what they have to do. They also know that it will be possible for them to exploit the removal of the carbon price as long as it is not 'unreasonably high'. So I think they need some guidance on two matters. One, what is an indirect cost saving attributable to carbon pricing? Also, please tell me what the threshold is for a definition of 'unreasonably high'.

Senator SINGH (Tasmania) (12:15): I was trying to let the minister have an opportunity to get out of his seat and answer the question from Senator Milne, and even have another opportunity to answer the question from Senator Urquhart. But he is obviously refusing to answer questions, despite this being the in-committee stage of this legislation. I think that is testament to what our democracy has come to under this government, where they not only run around putting in place various scare campaigns—especially when it comes to clean energy policy—but also operate under a veil of secrecy by not even answering questions on their own bill in the committee stage of the bill.

I do not know what Senator Cormann has to hide or whether he is just ignorant to being able to provide the answers to senators. He has umpteen advisers there. I am sure they can scrawl out something on a sticky note and hand it to him, yet he is refusing to answer questions. I think that is absolutely shameful. It is an absolutely appalling state of democracy
when it comes to legislation being debated and ministers will not get up and answer the
questions.

I will nonetheless ask questions of the minister in the hope that he will answer them. I will
preface them in relation to the amendment, because we are on the opposition amendment in
relation to the emissions trading scheme—that is, the replacement of the current bills with an
emissions trading scheme. Despite the scare tactics, that is something that Minister Cormann
knows that Labor has been on consistent—that is, we support the repeal of the carbon tax if it
is replaced by a credible climate change policy. That credible policy is an emissions trading
scheme. And that is of course supported by a number of economists and scientists right
around the country.

On top of that, we know that that is the way in which the world is moving. Why? It is
because it guarantees the lowest cost for Australian businesses and for Australian families.
That is what we are talking about at the moment in relation to cost. The cost situation if the
government repeals the carbon tax and replaces it with nothing remains very unclear when it
comes to the pass-through mechanism. I did ask Senator Cormann about the entities that will
be subject to this regime and whether the government had consulted with those entities. I did
not get an answer on that; I got a filibustered response to that. Now I refer Minister Cormann
to the regulatory impact statement that is in the explanatory memorandum. I take him to page
98, to be specific. It says clearly at the top of that page that, 'it is not possible to say with
certainty what proportion of the carbon price may have been passed through or was absorbed
in any given sector.' It then goes on to say that 'likely price changes in energy markets are
more easily quantified.'

So, if you are saying that you cannot determine what the pass-through will be, how can the
government be so certain of this $550 saving to households? I ask the minister to answer the
question, not in relation to the Treasury modelling, because we know the Treasury modelling
was done before the carbon tax was in place and the Treasury modelling was just that—it was
modelling. We have now been living with a price on carbon for a couple of years. We know
that the cost has not been as high as $550; yet this government is again going around telling
tales, telling furphies and telling the Australian community that there will be a saving of $550.

The reality is something quite different. That is why airlines did not pass on the carbon tax
to their customers. That is why supermarkets did not pass on the carbon tax to their
customers—they absorbed it. So, Minister, how can you say that there will be a $550 saving
from repealing this legislation and go about scaring the Australian community by saying that
Whyalla is going to close, the average lamb roast is going to be $100 and all the other
furphies that Tony Abbott, yourself and many others in the coalition have gone about
espousing all in the name of politics—not based on anything in your regulatory impact
statement and not based on anything substantiated in the legislation either. So please tell this
Senate—come clean with this Senate—how you can be so certain that there will be a $550
saving.

The TEMPORARY CHAIRMAN (Senator Marshall): The question is—

Senator SINGH: Mr Chairman, it is absolutely outrageous that Senator Cormann will not
answer questions. Is that what it has come down to now? Are we going to continue on in
committee debating and discussing these amendments without anyone on the government
benches answering questions?
Senator Birmingham: You are not discussing the amendments.

Senator SINGH: We are discussing questions. We are asking questions of the government and the government is refusing to answer.

Senator Birmingham: You have said nothing about your amendments.

Senator SINGH: I did say something about the opposition's amendment—very clearly I did.

The TEMPORARY CHAIRMAN: Senators will come to order. Senators should not be interjecting when they are not in their places.

Senator SINGH: Maybe Senator Birmingham would be better off answering questions as parliamentary secretary because we know he has interests in his portfolio and we know he has knowledge and perhaps a different ideological position when it comes to carbon pricing. We know the government has a number of senators and members who support an emissions trading scheme. They are hanging their heads in shame at the fact that the Prime Minister has let them down the path of not supporting an emissions trading scheme, despite having done so before. We know how many times minister Greg Hunt has been on record saying he supports putting a price on carbon.

The reason Labor has moved an amendment for an emissions trading scheme—I made it very clear before—is that it does deliver business certainty and positions Australia to maximise our economic benefits from the growing global trend of pricing pollution. That growing global trend is very clear. It is something about which the Prime Minister has again told lies and furphies. Recently when he was in Canada he said clearly that the world was not moving towards emissions trading when the world is moving towards emissions trading. We have China's seven pilot emissions trading schemes, which cover a quarter of a billion people in the second largest carbon market in the world, second only to the European Union. We have South Korea's which will start on 1 January 2015. Mexico put a price on carbon in 2013. The European Union has had an ETS for many years and on top of that many European countries have applied their own carbon price—for example, France in 2013. In the United States, Oregon and Washington are exploring carbon pricing options. California, which happens to be the world's eighth largest economy, already has an emissions trading scheme in place, as does New York and as do eight other states in the USA's regional greenhouse gas initiative.

We know that comments recently by President Obama highlighted that this is a major global challenge which is facing our planet and facing the United States. That is why all these countries are acting. Yet there is an amendment on the table but the government refuses to qualify why it will not support it, even though it did in the past. If it is not supported and the current bills are passed through this Senate, we will be left with nothing and we will be going backwards. Senator Cormann may want to deny the science and to deny the scientific facts.

Senator Cormann: We do not deny the science; we deny your bad tax.

Senator SINGH: You are denying the economists. This is the Liberal Party denying a market based mechanism to deal with carbon pollution. It is ironic that a Liberal Party is not standing by a carbon pollution scheme. On top of that, it is one thing for you not to support a market based mechanism. That is bizarre enough but on top of that you will not support the Clean Energy Finance Corporation which delivers to taxpayers. It actually makes money for
taxpayers. You will not even support that. On top of all of that, you want the country and the opposition to get on board with your direct action policy, which is spending $2.2 billion of taxpayers' money. So you are taking away the ability to have an emissions trading scheme, taking away the ability for the CEFC to make money for taxpayers. Then you want to spend money on a wing and a prayer that you will give money to big polluters and that will lead to some abatement. This is why there is no support for the government's climate change policy, if you can call it that.

There is no support from economists for the government's policy because it does not stack up economically or environmentally. It does not help Australia to meet its reductions targets. Yet we have Senator Cormann saying that starting from the removal of the carbon price families and pensioners are going to be better off. Clearly, families and pensioners are not going to be better off under this government because only a couple of months ago we had introduced the worst budget on record which rips the heart out of families and pensioners. It attacks the livelihoods of families and pensioners. So for you to say in this place that you stand for families and pensioners and somehow link that to carbon policy is simply another lie and another shroud of secrecy under which this government continues to operate when it cannot answer my question in relation to how you can be so certain that $550 will be passed on to families. I take it that it is not true. If it were true, Senator Cormann would have got out of his seat and answered the question. Senator Cormann sat there after I asked him to qualify a question about his own regulatory impact statement. He did not get up to answer the question, which shows perfectly what the answer really is—that is, he cannot guarantee a $550 saving. He knows it is just another slogan he has put out there to convince the Australian people and to scare them into this Whyalla closing, the $100 lamb roast scare tactic, so that the Australian people vote for them. It is lies, all lies, and it is all becoming unravelled right here, right now, from your lack of clarity and the fact that you are still sitting in your chair and not answering these questions.

A number of questions have been put by opposition senators this morning. You have failed to answer them. Some of them you did not even get up and answer, just like mine. Some of them you have simply failed to answer; you have just come back with the same old slogans. That is no way for the government to run this chamber. You are in government now. You need to take responsibility for the legislation that you have brought to this place. You have done a deal with the Palmer United Party on this legislation. We want to know the answers to specific questions in relation to the amendments that have now been incorporated into this legislation. They do have an effect on electricity suppliers and gas suppliers and the like, as well as on consumers. We want to know exactly how this is going to work. That is why we have asked these questions.

So, finally, I ask you, Minister Cormann, can you please at least try to stand up and answer my question: how can you say with certainty that there will be a $550 saving, when it clearly says—on page 98 of the explanatory memorandum, in relation to the regulatory impact statement—that it is not possible to say with certainty what proportion of the carbon price may have been passed through or was absorbed in any given sector?

The TEMPORARY CHAIRMAN (Senator O'Neill): Senator Milne?

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:31): I note the minister did not make any attempt to get out of his seat—
Senator Cormann: Because I have already answered the question. I answered the exact same question from Senator Cameron.

Senator Singh: You have not.

The TEMPORARY CHAIRMAN: Order! Senator Milne has the call.

Senator MILNE: Thank you, Chair. I want to ask a very specific question. I want to ask the minister about section 60FE of the legislation and the statement that has to be made for electricity customers. It applies to an electricity retailer that sells electricity to customers or a natural gas retailer that sells natural gas to customers.

Within 30 days after royal assent of this bill, those retailers have to prepare a statement which tells their customers the cost savings that have been 'directly or indirectly attributable' to the carbon tax repeal and for the financial year that began on 1 July 2014. In that period, they have to communicate this to their customers. It says specifically that it has to be communicated to each customer of that class and, if they do not comply, they will be subject to a $400 penalty unit offence, and it is a strict liability situation.

On that basis, Minister, I want to ask you again: if this happened to go through today and get royal assent soon, these electricity retailers and natural gas retailers are going to have to be preparing their statements. What does an 'indirect cost saving attributable to the carbon price' mean for the purposes of complying with the legislation?

Secondly: since they have to inform their customers of the expected cost saving, do they have to inform all of their customers through some direct means, or is putting something on their website sufficient to fulfil the requirement of section 60FE?

The TEMPORARY CHAIRMAN: Senator Lines?

Senator LINES (Western Australia) (12:33): I will give Senator Cormann an option if he is actually going to—

Senator Cormann: Jump in the box, just like Senator Dastyari.

Senator LINES: You have not actually been answering any questions, so we will just give you some more. I have heard Senator Milne ask that same question quite a few times this morning—

Senator Cormann: And I have answered it several times.

Senator Milne: You have not answered it.

Senator LINES: It would be a good idea if you answered it at some point, Senator Cormann.

I want to talk about what is happening on Aboriginal land. Although I am yet to see it, I do note our Prime Minister's absolute spoken commitment to Aboriginal people across this country. I think he said he wants to be the Prime Minister who makes a difference to Aboriginal people's lives. But the only difference he is making at the moment is attacking Aboriginal community organisations and Aboriginal people through his harsh and cruel budget measures in the same way he is attacking the rest of the population. Anyway, we will have a go.

There is a public consultation period at the moment on carbon abatement. Four Aboriginal organisations in my home state of Western Australia have put submissions in: Aboriginal
Carbon Fund, Indigenous Land Corporation, Kimberley Land Council and Latitude Forest Services. They ask some really important questions. It is not just a matter of those corporations putting submissions in for any of the Direct Action funding which might be available. It is really about how any policy of government really acknowledges and respects that very strong commitment and cultural attachment to the land that Aboriginal people have right across this country. If that first principle of that strong connection to country is missing, then I am not quite sure how Direct Action or any kind of carbon abatement scheme could benefit Aboriginal communities; because currently there is a range of projects in those communities which are not only creating work but are continuing that strong connection to land.

The submission raises some very serious concerns in relation to what might happen. They say that the contract and crediting positions do not provide the certainty for higher costs and longer term land sector projects to participate in the ERF and the voluntary market. I would certainly be interested in hearing the government's response to that. As I said, if it is against the backdrop of working with Aboriginal communities—of building capacity, of respecting that strong attachment to land and that cultural connectedness—I would be very interested to hear the response to that question.

The submission goes on to say:
The White Paper indicates that projects can only win one purchase contract for (preferably) 5 years. The stated reason is to encourage new projects.

It is so typical of this government not to respect the work that is already going on to come in with this new brush to think they know best. That kind of patronising attitude has gone on for far too long in Aboriginal communities. The government needs to work with communities, not on top of them or riding roughshod on what is already happening.

They state the concern that there is a preference for new contracts; however, they say that remote land sector projects with high start-up costs need a longer planning window. We know this already in Aboriginal communities, particularly in very remote areas such as in Western Australia. They need longer periods to be successful and they can be successful, if they have an idea that is supported and grows from the community and where good governance structures are in place.

They have a range of savanna projects and, conversely, if those projects stop, Australia's emissions will rise. They believe that five years is too restrictive to catalyse these kinds of projects. Again, this one-size-fits-all kind of response will not work if the government is genuinely committed to protecting our environment and to the science of climate change—and we have heard the Prime Minister's view on that over and over. If it is genuinely committed, these projects need a longer window and there needs to be difference, and so we need to have guidelines that support that kind of difference, different start-up costs and so on.

Another question I have for the minister is: how will Direct Action address and protect the work of Indigenous communities such as savanna and landcare projects? The submission from the four organisations—

Senator Cormann: Madam Chairman, on a point of order: I know that we have got a wide-ranging debate about legislation and the debate at various times has strayed beyond the
amendment before the chair. Not only do the issues that Senator Lines is now raising not relate to the amendment; they do not relate to the legislation before the chamber. She is asking questions about legislation that is due to come before the chamber down the track. I know that the Labor-Greens tag team filibuster is alive and well but, even by Labor's standards, this is taking it to another level.

The TEMPORARY CHAIRMAN (Senator O'Neill): I remind Senator Lines to come back to the matter for discussion.

Senator LINES: The minister has been so reluctant this morning—at one point he accused, I think, Senator Cameron of not asking genuine questions. I am not quite sure how one makes up a question. I am not sure which question Senator Cormann will answer, because he steadfastly refused to answer Senator Milne's questions. He did not answer the questions I put before, but let's us have a go; I will go back to the question that I asked him earlier today.

There are reports out this morning that ask, because of the government and Palmer United Party last-minute amendments done outside the chamber in the dead of night, what the regulatory burdens are that they are going to impose on small business in Australia. I asked that question this morning. It has not been answered. I saw filibustering and so on from the minister. He did anything but answer that question, and I put it directly to him. There is a new cost that has been imposed on businesses in the last 48 hours that they have not been consulted on. It is in the explanatory memorandum, and I have asked the government a question directly about that.

I also asked the government—and, with respect, I think Senator Cormann almost answered this question about an emissions trading scheme and gave examples of where in the past the government and indeed our now Prime Minister have supported an ETS—why he won't support Labor's amendments now. The response I got was: time has moved on. Yes, it has and there is much more science around now as to why we should support an emissions trading scheme and why an emissions trading scheme is the way forward.

The government is proposing, if it seriously will not consider Labor's amendments and the bills go through, a period where we will have absolutely nothing in place for big polluters in this country. The government and certainly Senator Cormann have not addressed that question.

Senator Cormann: Madam Chairman, on a point of order: we are now less than two minutes away from going to matters of public importance. The Labor-Greens filibuster has now been going for more than three hours and 15 minutes. Is this really going to continue?

The TEMPORARY CHAIRMAN: Senator Cormann, that is not a point of order. Please take your seat. I call Senator Lines.

Senator LINES: I put questions forward this morning. Minister Cormann seems to be only answering questions from his own side. This morning he took as genuine a question from Senator Macdonald about which union had coverage on a particular worksite. What that had to do with Labor's ETS amendments is beyond my comprehension; I have no idea. It is not as if the Abbott government is any friend of trade unions; it certainly is not. I think Senator Cormann then invited some of the Labor senators present—or someone did—to answer that question for him.
Going back to Labor's ETS, I have asked very genuine questions. We are going to see, if these bills are passed, a period in Australia where we have nothing in place. That makes Australia an outlier country—a country that has been so progressive in terms of the sorts of legislation that we have put in place in the past, not just by Labor. Labor has led the way on progressive legislation, but conservative governments have on occasions risen and put in place good legislation. So we are going to be at least 12 months, who knows, without anything in place. If Labor's amendment is not accepted here today, we are delivering an absolute opportunity for the big polluters in our country just—

Debate interrupted.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator O'Neill) (12:45): Order! It being 12.45 pm, I call on matters of public interest.

Budget

Senator SMITH (Western Australia) (12:45): It is with pleasure that I rise to take part in this discussion of matters of public interest today, because, if there is one thing that is of interest to the people of Australia, it is the Labor Party's continued denial of economic reality. This government was elected overwhelmingly by making it clear to the people of Australia that it is the Labor Party's continued denial of economic reality. This government was elected overwhelmingly by making it clear to the people of Australia that we had three key priorities. The first was that we would stop the boats, and the success of Operation Sovereign Borders in doing that is obvious. Yes, the work goes on, but there has not been a single successful people-smuggling venture to Australia since last December. Those opposite said it could not be done, yet it is being done. The second key priority was to scrap the carbon tax and the mining tax, which we already would have done if only those opposite had respected the clear mandate the people of Australia gave this government last year. I am pleased that, with the arrival of new senators in this place, we now have the opportunity in coming days to deliver on our commitment to put an end to these unnecessary taxes. The third and most fundamental promise was to get the nation's books back in the black and build a stronger economy.

When this government talks about getting the budget back to surplus, we actually mean it. In the six years those opposite were in office, they were very good at talking about the need to make tough decisions. They were even better about talking about getting the budget back into surplus. What they were not terribly good at was delivering on their talk. Labor did not make tough decisions, and, for all their talk and all their promises, they did not deliver a single surplus budget during their most recent period in office. Talk is cheap. It was about the only aspect of the previous government that was cheap, because everything else they did was massively, and in many cases unnecessarily, expensive and financed on massive debts—debts which this government is now determined to repay so that future generations of Australia do not have to. Indeed, as a result of the decisions taken in this budget, the interest payments on government debt are projected to be $16 billion lower in a decade. That is freeing up money to be spent on crucial health and education services, on support for families and for seniors and to build vital infrastructure.

I think it is worth spending a couple of moments considering how we got to the fiscal position Australia finds itself in today. When the previous Howard coalition government left office in 2007, Australia had no net government debt. That meant that we were not
out billions of dollars every year for interest payments. Coupled with that was the exceptionally strong budget position Labor inherited. In the 2007-08 budget, which was Peter Costello's final budget, the end result was a surplus of $19.8 billion. Compare that with what Labor produced in their final budget—a $47 billion deficit. That is Labor's record, and no amount of distraction or hiding can hide that simple and important fact. They came to office with an exceedingly strong fiscal position and proceeded to squander it through poor decisions, runaway spending and ballooning debt. But, from reading Labor's budget speeches during their time in office, you would never know it. Labor swore to us that, like the Loch Ness monster or the bunyip, the surplus existed. They just could not actually show us where it was. So in 2008-09, when Wayne Swan told us in his first budget that he would deliver a surplus built on disciplined spending, the result was a $27 billion deficit. The next year, we were told the budget would put us on a path to surplus by 2015-16. The result that year was a $54.5 billion deficit. For 2010-11—the final budget under Kevin Rudd—Mr Swan said his program would see the budget return to surplus in three years time. That year the deficit was $47.5 billion.

Senator Gallacher: What year was that?

Senator SMITH: 2010-11. It might be a year you would like to erase from your memory, Senator Gallacher. The next year, 2011-12, under Julia Gillard, the Treasurer's speech claimed, 'We'll be back in the black by 2012-13, as promised,' while delivering a $43.4 billion deficit. The next year was 2012-13, and the budget speech was the most fundamentally dishonest of all Wayne Swan's six performances. In it, he claimed:

This Budget delivers a surplus this coming year … and surpluses each year after that …

What it actually delivered was a deficit of $18.8 billion. Last year, in Mr. Swan's final budget, we heard a familiar promise: 'This budget sets a sensible pathway to surplus.' Naturally, when the coalition came to office late last year, what we actually found was that Australia was on course for a deficit of $47 billion.

Six Labor budgets, six years of promised surpluses, six years of deception, six budget deficits—that is what Labor delivered to the people of Australia. Yet today the same Labor Party have the gall to come into this parliament and talk about broken promises. Not only do they revel in the hypocrisy of that action but they also seem to exist in an alternative economic universe. If you have listened to the comments of those opposite in the two months since the budget was delivered, the constant refrain you will have heard is that there is no budget problem, that the debt and deficit crisis that Australia faces and which this government is determined to address has somehow been confected or invented. No sensible Australian would believe that to be the case. Labor's financial management record is there for all to see in black and white—or, more accurately, in red and white. The trouble for Labor is that every time they repeat this claim they seem increasingly shrill, desperate and isolated.

But do not take the coalition's word for it. Do not take my word for it. Let us look at the views of some respected, independent experts, including people that Labor worked closely with when they were in government. Let us start with the secretary of the Treasury, Dr Martin Parkinson. At the beginning of this month, Dr Parkinson had this to say of critics of this government's action plan to tackle the debt and deficit challenge:

It is one thing to argue that reform proposals should be designed with fairness in mind … It is quite another to invoke vague notions of fairness to oppose all reform.
Using this kind of concept to defend what is clearly an unsustainable status quo means consigning Australia to a deteriorating future.

Consigning Australia to a deteriorating future—that is what we will be doing if we fail to act on reducing our budget deficit and the nation’s debt. Yet those opposite seem quite comfortable with that notion, if their comments and behaviour on the budget thus far are anything to guide our considerations.

Dr Parkinson summed up Labor’s denial of economic reality very well during the recent budget estimates, when he said, in relation to Australia’s levels of government debt:

I have been saying this. The Governor of the Reserve Bank has been saying this. The head of the independent Parliamentary Budget Office has said this, most recently last week. If the two most senior economic bureaucrats in the country are saying, ‘People, we have a challenge, and it’s about time we had a serious community discussion’ and the independent head of the Parliamentary Budget Office says the same thing, it is actually in the hands of the political class.

He is quite right. The challenge of dealing with these issues is in the hands of the political class. And one side of politics is failing that test, and failing the Australian electorate, disarmingly.

So, as Dr Parkinson points out, we should also turn to the head of the Parliamentary Budget Office, a body that was established during the years of Labor government to provide this parliament with independent budget advice. Again, during budget estimates hearings recently, the Parliamentary Budget Officer, Mr Bowen, confirmed that the debt and deficit challenge Australia is facing is not ‘conjured’, as those opposite would want you to believe. Instead, it is very, very real. Indeed, when the proposition that the budget crisis is ‘manufactured’ was put to Mr Bowen, he said, as reported in The Australian Financial Review on 27 May:

"I don’t agree with that."

"If you just continued on the trajectory of payments and revenues prior to the budget, net debt is forecast to grow rapidly, I think, at the highest rate in the OECD …"

Mr Bowen went on to say why it is imperative that we deal with the situation now:

… frankly we don’t want to find ourselves where the rest of the world is … You’ve got to have a buffer. One of the reasons we came through the global financial crisis so well was because we started with assets.

The ‘assets’ being referred to, of course, were the strong budget surplus and debt-free position inherited by Labor when they won office in 2007.

Again, I make the point that these quotes do not come from the government. They come from independent experts who worked closely with the former Labor government when it was in office. They agree there is a problem. They agree that we must act. They agree that this government’s budget is what is needed. Yet those opposite put their fingers in their ears and refuse to listen.

These warnings were echoed by respected economic commentator Henry Ergas, in The Weekend Australian Magazine just last weekend. He said: ‘As well as shifting onto tomorrow’s taxpayers the burden of paying for today’s benefits, greater debt will limit the borrowing capacity of future governments, reducing their scope to use fiscal policy to cushion the impact of adverse shocks. As a result, when an adverse shock comes’—and this is important—‘the cuts will have to be deeper and the hardship more widespread and prolonged.
And such shocks are not merely possible; they are probable. In the same newspaper on the same day, the Governor of the Reserve Bank, Glenn Stevens, warned that we are living in uncertain international economic times. He said:

... it would be foolish, I think, to pretend that one can precisely forecast in that effect of all those forces...

"I don't think we can, and nor do I think that it's within our capacity to guarantee some kind of finetuned, very smooth outcome.

Labor almost seem to think these independent experts are part of a conspiracy to make them look bad. Well, if there is a conspiracy, then it must be an international one, because agreement about the need for Australia to deal decisively with its debt and deficit problem has gone global.

There is paranoia from those on the opposite side, yet they also seem to be unconvinced by the expert opinions of both the International Monetary Fund and the OECD. In February of this year, as the government was preparing the budget, the IMF issued its economic report card for Australia. The IMF Country Report, No. 14/51, found that Australia had the fastest growth in spending of the 17 major economies surveyed, and, equally worrying, the third highest growth in net debt. These are areas where being at the top of the table is not a good thing. Yet, only one side of politics in this country has actually produced a plan to deal with the situation.

Just last month, the government's budget measures, which are designed to deal with the debt and deficit crisis in a methodical and comprehensive fashion, won the endorsement of the OECD. Again, this is something that those opposite want to overlook, and that they do not want to hear. But the OECD's Secretary-General, Angel Gurria, was reported by the ABC on 10 June this year as saying that the Abbott government's budget strategy is 'dealing very directly and decisively with the budget deficit.' He went on to further endorse the Abbott government's efforts to get spending back under control. He said:

You [Australia] went for 80 per cent cuts, one-fifth tax increase. We're always saying you should at least keep it balanced, this is a more sustainable, more durable type of solution. Once you cut the expenses it stays low, with taxes there are certain temptations …

So, to summarise the state of the economic debate in Australia today: on one hand, there is the Abbott coalition government that is determined to deal with the economic mess left to us by our Labor predecessors. We are prepared to act, because we recognise that Labor's legacy of $123 billion in projected deficits—

Senator Sterle interjecting—

Senator Polley interjecting—

Senator SMITH: Your legacy, Senator Sterle; your legacy, Senator Polley.

Senator Polley: It's a heartless government.

Senator SMITH: Don't encourage me to go on. I feel your pain. I feel your embarrassment. Your Labor legacy of $123 billion in projected deficits and debt on a trajectory to reach $667 billion if no action is taken. It is utterly embarrassing. It is totally unsustainable. You should be ashamed.

On the other hand, there is the Australian Labor Party—the self-proclaimed friend of working people—who want to lock Australia into becoming a high debt, high deficit economy
with low employment growth. What is more, Labor want Australians to trust them. Australians are ready and able to take a new challenge, to prepare themselves for a better budget outcome, to protect themselves from the future shocks in the international economy.

**Jones, Mr Gavin**

*Senator PERIS (Northern Territory) (13:00):* I rise to speak of matters of public interest. Not too long ago, mainstream media across this country reinforced negative stereotypes and negative depictions about Aboriginal and Torres Strait Islander people. There were very few stories of achievement and almost no stories of celebrations or pride that could instil hope or ambition amongst Aboriginal or Torres Strait Islander youth. Our children could not access stories about our people achieving and breaking down stereotypes through their work in music, sport, at a community level, in the health sector, at school or in the workforce.

Fed up with this unhealthy imbalance in the reporting of Indigenous peoples and communities, one man stood up and decided to make a change. His name was Gavin Jones—a young, inspiring man born on the lands of the Ngunawal and Gundungurra peoples of Goulburn. While he grew up in between Sydney and Canberra, the family's roots were in Bigga, Binda, Crookwell and Tuena. He was raised by his mother, father and grandmother, along with his three sisters. Gavin was a passionate leader, motivated about leading the change. He was my friend. Sadly, Gavin passed away over the weekend. He was 47.

In 1993, Gavin founded Deadly Vibe, a company which forged new ground in its holistic approach to Aboriginal and Torres Strait Islander advancement. In our lingo, 'deadly' means great or wonderful. Gavin's vision and mission for Deadly Vibe was to 'support all Aboriginal people and Torres Strait Islander people in reaching their full potential by providing positive imagery, identifiable role models and quality media to improve community and quality of life.'

Deadly Vibe launched a series of unique and successful products, all reinforcing the importance of self-worth and self-esteem to the overall health of the Indigenous community by promoting positive Indigenous stories and focusing upon the achievements of Indigenous Australians across all aspects of society, along with targeted health messaging.

After launching the weekly Deadly Sounds radio program in 1993, in 1995 Gavin launched *Deadly Vibe* magazine, a first-of-its-kind monthly publication that delivered positive Indigenous stories and health messaging directly to schools and communities. This month, *Deadly Vibe* magazine reached its 209th issue and is among the most recognised Indigenous media products in Aboriginal and Torres Strait Islander communities, reaching a national distribution figure of 55,000 per month, most of whom are students.

Commenting on the genesis of *Deadly Vibe* magazine, Gavin wrote in the editorial for the 200th issue in 2013 that what made *Deadly Vibe* so successful was that it 'put something positive in the hands of our young people; something of a high professional quality that could be read and handed around at home or school that told a different story.' Soon after *Deadly Vibe* magazine, Gavin launched *InVibe* magazine, an insert to *Deadly Vibe*, which was produced specifically for Aboriginal and Torres Strait Islander people in prisons and juvenile detention centres. It delivered targeted health messages, focusing on mental health, sexual health, information on substance abuse, and Vibe's mission of promoting pride and self-worth.
The ethos of Deadly Vibe and Deadly Sounds was also refashioned into a youth event—the National Indigenous 3on3 Basketball and Hip Hop Challenge, which was a travelling event that provided a positive and engaging environment for local and community-based health providers, particularly Aboriginal Medical Services, to interact with the Aboriginal and Torres Strait Islander community, especially the young. This event promoted healthy lifestyles to strengthen communities and boost self-esteem. The event encouraged sportsmanship and promoted reconciliation at a grassroots level. The Vibe 3on3 continued to attract many teams in every location across Australia. In past years, a strong event would have attracted 50 registered teams. This year the 15th season attracted almost 80 teams, the largest ever. Pre-registrations meant that events were sold out in weeks. Thousands of Australian Aboriginal and Torres Strait Islander kids have participated in these events.

This was an educational program; schools had to register teams across school-age categories from years 3 to 10. Each team competed in a number of Vibe 3on3 events, including basketball, art, dancing, rapping and Spin Out—which was a chocolate wheel and kids had to answer questions on health, music, sport, the arts, drugs and alcohol. Gavin recently introduced Chat with a Champion, which was a mental health activity developed under the Supporting Communities to Reduce the Risk of Suicide initiative.

In addition to these activities, students attended a health expo, where the local Aboriginal Medical Service and other health providers interacted with the students on a number of levels. There was a strong focus on mental health service providers for the Vibe 3on3 events. The content for the health expo ranged from conducting Otitis media screenings to distributing drug and alcohol information. There were social and emotional wellbeing activities as well as yarning circles. Teacher and parent feedback said that the Vibe 3on3 had ‘a very positive impact on the young people attending the event.’ Young Aboriginal and Torres Strait Islander people not only received clear and well-delivered health and wellbeing messages during all aspects of the day but also got to see and meet the Indigenous health providers of their community and interact with local and celebrity role models.

Teachers also said that having such a proud and positive Indigenous experience, as a school, had a huge impact on the behaviour of students when they returned to school. Teachers reported that students who attended this event could actually get up and say, I’m proud to be an Aboriginal.’

The first event that would become the Deadlys was held in 1994 as a celebration of the first year of the Deadly Sounds broadcasting. Gavin’s conviction about the importance of Vibe’s messaging quickly propelled the event from being a low-key community get-together to a unique national Indigenous awards night, celebrating the achievements of Aboriginal and Torres Strait Islander peoples.

Last October, the Deadlys celebrated its 19th year, by then having become one of the major and most highly anticipated events on the Indigenous calendar, held at the Sydney Opera House, and broadcast nationally by SBS and watched by as many as seven in 10 Indigenous Australians. The awards celebrate music, sport, entertainment and community achievement, and have put the spotlight on performers such as Yothu Yindi, Archie Roach, Jessica Mauboy and Dan Sultan. Last year, some 95,000 votes were cast and it was watched by almost half a million people. The 20th anniversary of the Deadlys was to be 2014.
Gavin established the Deadly Vibe Group and Gavin Jones Communications. Much of his work included government programs focused on healthy lifestyles and antidrug messages. In 2008, Gavin launched Vibe TV, producing *Living Strong*, which delivered informative health stories and profiles, and *Move it Mob Style*, a program which combined Vibe's promotion of self-worth and cultural pride with other health messaging and hip-hop dance workshops. *Move it Mob Style* was broadcast on NITV and ABC3, bringing Aboriginal faces and culture into the homes of thousands of Australians of all backgrounds. This year, Gavin was nominated for a Logie award in the children entertainment category.

Gavin was a silent leader, continually pushing the achievements and contributions of others into the spotlight, while himself shying away from accolades and recognition. Through his passionate and incredible work ethic, ambition, creative drive and commitment to the empowerment of Aboriginal and Torres Strait Islander people for more than two decades, Gavin leaves behind an impressive legacy and will be remembered as a man who made a huge contribution to his community, and helped to change the fabric of Australian society, providing successful and impactful nationwide platforms for Indigenous Australians to celebrate their achievements, survival, pride and culture. Noted for his generosity, kindness and genuine care for others, Gavin was a true pioneer and hero of Aboriginal and Torres Strait Islander advancement, and will be missed and remembered by the countless individuals whose lives he touched.

Sadly, after two decades of this dedication, his tireless work, his innovation and leadership, his commitment to our young people, he was advised last month that funds for all the Vibe projects would be redirected to federal government programs that deliver front-line services. This funding cut came despite a recent audit which had given his ventures a glowing report and brought to an end the entire Vibe Project, which Gavin spent two decades building, including the Deadlys, *Deadly Vibe* and *InVibe*, Deadly Sounds radio, *Move It Mob Style* and online campaigns.

Gavin was devastated and very disappointed by this lack of support not just for the business but for what the business provided to our youth. Gavin invested his life into closing the gap, empowering our people and giving this nation something to celebrate. Sadly, this year we failed him and did not return or reward his investment. In a 2012 interview, Gavin stated the inspiration behind the Deadlys:

> Like the whole Vibe organisation, I see the Deadlys as a vehicle to empower our people. Indigenous health is a disgrace, but I see our work as a way of improving this. If people are proud of who they are and where they come from, then that will lift their self-esteem. And that can only lead to better health.

Gavin Jones leaves behind an impressive legacy and will be remembered as a man who made a huge contribution to our community. He helped to change the fabric of Australian society, providing successful and impactful nationwide platforms for Indigenous Australians to celebrate their achievements, survival, pride and culture. Gavin Jones was a visionary, a huge personality and he did everything with style and flair. We all got swept up in that exuberance to celebrate Aboriginal and Torres Strait Islander achievement. His work touched every Aboriginal and Torres Strait Islander person in this country.

Former Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma said:
Gavin Jones is a true hero of Aboriginal and Torres Strait Islander peoples … He was selfless and he dedicated his life to celebrating our achievements and inspiring our youth in particular to develop the resilience they need to face their future. RIP, Gav.

Film, stage and television star Luke Carroll, a long-time host of the Deadly Awards, said:
The Australian community, not only the Aboriginal and Torres Strait community, has lost a genuine leader of people. Gavin Jones was a mentor, brother, father figure, and great confidant, not only to me, but to so many within the Aboriginal and Torres Strait Islander entertainment, sporting, and grass roots community.

Our thoughts are with his partner Tony, his sister Vicki, his family and extended family, the Deadly Vibe family, and to so many others who are devastated by his passing. Vale Gavin Jones. See you in the Dreamtime, brother.

**Western Australia: Housing and Homelessness**

**Senator Ludlam** (Western Australia) (13:12): In May of this year, a young diabetic woman and her partner ducked into the undergrowth at Lake Richmond in the southern suburbs of Perth, in search of a few hours of undisturbed sleep in the tent that was their only home. Like so many of Australia’s renters, she had lost her rental home because the owners wanted to sell it. She was turfed out and was unable to find somewhere else she could afford. So she was forced to sleep rough while she searched. By morning she was dead. Carried off during the night in a diabetic coma, her distraught companion was unable to revive her by the light of day. She had dropped off the bottom rung of one of the least affordable housing markets in the world, beyond the reach of overstretched welfare agencies, unseen by government departments and irrelevant to the distant skirmishes of contending political parties. Diabetes did not kill this young woman; homelessness did.

The Australian housing sector is an uneasy hybrid of debt-fuelled market forces underlaid by eroding foundations of state public housing and ad hoc cash payments to those most in need. Roughly a third of Australian homes are owned outright by those who occupy them. Another third are paying down mortgages. The remaining third are renters. Only a tiny slice of the Australian housing market is taken up with public housing or other forms of supported accommodation. Deliberate government policy over two decades has shaped a market almost unique in the world: a nation of landlords bidding up the price of real estate in the hope of building an asset base for retirement and a nation of renters helping pay off the mortgages of those who got the jump on them. The twin engines of capital gains tax exemptions and negative gearing, worth $4 billion a year to the Commonwealth budget, have turned human shelters into tax shelters, allowing the suitably diligent to convert their progressively taxed income into lightly taxed assets in the form of rental accommodation. But what good is an asset unless it appreciates in value? Forced ever upwards by population growth, restricted supply of developable land and repetitively brazen industry hype, the cost of housing—to rent or to buy—has vastly outstripped wages growth and the CPI since around 1998. Housing has been transformed, quite deliberately, from a human right into just another asset class, appreciating year on year even as state governments have sold down public housing and cast ever larger numbers of people into the teeth of an uncaring market.

Commonwealth Rent Assistance now costs nearly $4 billion a year and, while patently inadequate for those 1.1 million individuals and families who rely on it, it is nonetheless a symptom of a broken system rather than any kind of cure. Credit where it is due: in the
aftermath of the 2007 election, the Rudd government set about rebalancing the scales, not through fundamental tax reform, which was considered too radioactive to handle, but through streamlining funding arrangements with the states, a white paper with the bold target to halve homelessness by 2020, and subsequent increases in homelessness funding. We also saw the introduction of the National Rental Affordability Scheme to help increase supply.

In acknowledging the Rudd government, I also want to acknowledge those in the housing affordability sector, in the non-government sector and those advocates and researchers who provided the raw material that was given to that parliament to work with. When the world's financial system went into cardiac arrest in 2008, one of the great acknowledged success stories of the stimulus package that kept Australia out of recession was the $5.6 billion spend on social housing, enough for almost 20,000 new homes, most of it auspiced by not-for-profit providers and state public housing authorities. It hardly made a dent in the spiralling waiting lists of more than 250,000 families, but it was a shot in the arm desperately needed in a sector that had been utterly neglected under the Howard government.

One of the things that we observed occurring was that, as the money was flowing in from the Commonwealth, the states were flogging off run-down public housing stock at the same time. As it happened, the rising tide of property speculation, tax carve-outs, low interest rates and a booming population continued to swamp these worthwhile initiatives. The 2011 census recorded nearly 105,000 homeless Australians, almost certainly a significant undercount. That catches everyone from those in chronic overcrowding on Aboriginal communities to precarious couch surfing and families sleeping in their cars—all the way to one woman's lonely point of departure on the shores of Lake Richmond.

On census night in 2011, there were an estimated 26,743 Aboriginal people experiencing homelessness, roughly two per cent of the Australian population and 28 per cent of the Australian homeless population. What an utter disgrace. In 2011, Indigenous households were also about half as likely as other Australian households to own their own home. They were three times as likely as other Australian households to be living in situations of overcrowding and six times as likely to live in social housing. An estimated 31 per cent of Aboriginal households were living in social housing in 2013. For the benefit of senators, these statistics that I have just put to the chamber are all cited by three studies produced by the Australian Institute of Health and Welfare and released today. This is one of the expert bodies that the Abbott government has defunded. Taking the expert bodies out of the picture removes such information as we do have about the degree and the extremity of the housing affordability and homelessness emergency in our country today.

In a budget estimates hearing on 5 June, my questions as to whether or not the Abbott government even recognised the existence of the housing affordability crisis were met with robotic and embarrassingly repetitive unrelated talking points. Had the government modelled any estimates of the additional numbers of people that its hardline budget would push into homelessness? Same glazed response. Does the government have a plan? Does it intend to have a plan? Ten months in, the Abbott government's housing review has not even started. It has no terms of reference, no time line and no reporting date, and there is no reviewer appointed to undertake the review.

In truth, the Abbott government's 2014-15 budget makes very clear the vision that it has for housing and homelessness in Australia. It provides a clinical and practical blueprint for a
massive increase in the numbers of Australian people forced into homelessness. It will achieve this through changes to welfare. In the same budget estimates session, my colleague Senator Rachel Siewert was able to determine that up to 60,000 people may be forced to wait six months for payments, with nothing at all. Or the government will achieve this objective of forcing more people into homelessness more directly by simply axing the capital budget, worth $44 million, from the National Partnership Agreement on Homelessness, which was being used to build homelessness shelters and emergency supported accommodation. At the same time, the National Rental Affordability Scheme has been axed, which takes 12,000 new dwellings off the table. The National Housing Supply Council and the Prime Minister's Council on Homelessness have been junked under the slogan of 'cutting red tape', which in reality destroys our nation's most eminent housing research and supply expertise. Slow clap. Well done. This is where we have come to.

It is not that there are no solutions on the table. I gratefully acknowledge the help and support of some of those same researchers and advocates who informed the 2007 parliament and the Labor Party's worthwhile initiatives on housing and homelessness. Last year, they also assisted us in developing a national housing affordability strategy. Last year the Greens put forward a nine-part national housing affordability plan. This included a costed plan to double existing services and provide shelter to every rough sleeper—everyone sleeping in parks and in doorways or living in their cars—by the year 2020. If you are interested, on the government benches, it was costed at around $900 million per year. At the moment, 62 per cent of people fronting for homelessness support and emergency crisis accommodation are turned away, back into the street. That is a scandal. We proposed a major increase in public and community housing supply, enough to halve the waiting list within a decade. At the moment, there are nearly a quarter of a million Australians on that waiting list. In Melbourne, one applicant had to wait more than 18 years for somewhere to live. In New South Wales, the waiting list is anywhere from two to 10 years, depending on your location.

We advanced a renters rights package to rebalance the scales and introduce a measured but well overdue national approach to the rental market. Did you know that there are national standards for the manufacture of plastic chairs but not for rental properties? We endorsed five years worth of work by AHURI on Housing Affordability Supply Bonds as a safe harbour for affordable housing investors—either institutional investors or mums and dads who want to park some of their savings in housing affordability but do not want the hassle of maintenance and looking after tenancies. We proposed an immediate audit and convert-to-rent program for the extraordinary amount of vacant space in our cities and towns. With the amount of vacant space we have in our cities and towns, what a scandal it is that we have people dying of homelessness!

Our affordability platform provided a roadmap to build more than 200,000 new affordable homes over the next decade—and we showed in detail how we propose to pay for it. By setting aside a substantial quota for fast-build modular housing we can kick start the nation's traumatised manufacturing sector while delivering rapid installation of environmentally sustainable dwellings—and also, I should add, a new market and customer for the struggling timber towns in the south-west of WA and, no doubt, in Tassie and the south-eastern states.

I am looking forward to a Senate inquiry into housing affordability, co-sponsored by the Labor Party and the Australian Greens, which in forthcoming hearings will directly confront
taboo questions such as the tax treatment of housing. We will be looking for practical reform options. During this inquiry we will be travelling around the country to hear from homeless people, from housing affordability experts, from researchers—from those who have been frozen out by the Abbott government's pig-headed approach to expert views and independent experts.

We have a plan on the table for housing affordability. What does the government have? Have you got anything at all? I would happily take an interjection from government senators—who are avoiding eye contact at the moment—if you have the faintest idea what you are going to do about the housing affordability emergency. Not a peep! You have no plan. In fact, you are reversing away as fast as you can from the people most in need and a housing market so broken it kills people.

Senator O'Sullivan: When we fix the economy there will be solutions.

Senator LUDLAM: I cannot tell you how sick I am of hearing that. If you want to fix the economy, maybe we could delay or defer the purchase of $24 billion worth of fighter jets that cannot be put in the air. Why don't we start with that? You have taken more than half a billion dollars out of this year's budget for the housing program. You have abolished the housing portfolio—so we no longer even have a housing minister—and you are now referring everything to the states without providing the funding for them to take up those obligations. We are 10 months in and there is no sign of your review.

There is no lack of innovation on display across policy, industry, advocates, researchers or even the political spectrum—from the innovative-community driven campaign in LA that has housed more than 100,000 homeless people in less than four years, to the shared equity strategies pursued by the WA government and the WA housing department, to the YMCA's recently unveiled 30,000 pound flat-pack homes in the UK, to the worthwhile initiatives introduced by the Rudd and Gillard governments that still struggle on today despite the stranglehold that the present government has imposed on the funding. We do not lack innovation and we do not lack money—as the Abbott government's $10 billion bender on unwanted urban freeways would tend to indicate. What we do lack is national leadership to shout from the overleveraged rooftops, 'Enough is enough!' Political indifference to the housing affordability crisis is killing people today in one of the wealthiest societies on earth.

Homophobia

Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:26):

Australia is a sporting nation. We love sport and we celebrate our sporting heroes. Sport is part of our national identity. Often events in sport can tell us something about who we are and the things that are important to Australians. For example, I think the pride with which Australia cheered on Cathy Freeman at the Olympic Games told us something very wonderful about where Australia was at that time.

But today I rise to speak on a matter of public interest which concerns two events over the weekend in the worlds of sport and the media. At the weekend I was moved—as were many Australians—by the frank interview by Olympic swimming champion Ian Thorpe, our greatest Olympian, in which he declared that he was gay. But on the same weekend I was angered and upset—as were many Australians—to hear that the football commentator Brian
Taylor referred to an AFL player as a 'big poofter' on Channel Seven's live football broadcast on Saturday night.

Homophobia is never acceptable. There might be some people who think comments like Taylor's are all just a bit of a joke. It is often the case that people say something and then they say, 'Don't take it seriously, it's a joke'—and if you are upset or take offence you are regarded as being thin-skinned. I think people who think comments like that are a bit of a joke should look at the Ian Thorpe interview. It is no joke to be on the receiving end of a word like 'poofter' or many other words like it. It is no joke to be caught in the crossfire of prejudice, and it is no joke to live in fear of being rejected, vilified or persecuted because of who you are.

The fact is that we still hear homophobic insults and slurs bandied around as if they are acceptable, harmless, just a bit of a laugh. Well, it is no laugh to be a young person growing up and working out who they are, surrounded by an atmosphere of hostility. They can feel alone, isolated from their peers, isolated from their community and even isolated from their family. They feel as if people like them are so worthless that they can be abused, bullied, belittled and mocked—that that is perfectly acceptable.

A study released earlier this year by a team of researchers from the University of Western Sydney showed that homophobia directed at young gay people remains prevalent in our schools, our workplaces, on our streets and in other public venues, including sporting events. These researchers surveyed just over 1,000 young people who identified as gay or sexuality diverse. They found that almost two-thirds had experienced some form of overt homophobia or transphobia; 64 per cent had been verbally abused; 18 per cent had been physically abused; and 32 per cent had experienced other forms of prejudice and hatred.

Homophobia has serious consequences for its victims. The Growing up queer study found 41 per cent of the young people surveyed had thought about self-harm or suicide, 33 per cent had harmed themselves and 16 per cent had attempted suicide. These are really sad statistics and a reminder of the effect of prejudice that you can have these sorts of results with so many young people thinking about self-harm or suicide and so many attempting suicide because of how they feel.

Today a new survey on the incidence of homophobia in Australian sport has been released. It is called Out on the fields and it is a study which surveyed some 2,500 athletes and players, gay and straight, at all levels of sport. Half the gay sportsmen and women responding to the survey reported that they had experienced homophobic abuse. One in four of the straight men responding to the survey had also been targets of homophobia.

As the footballer Jason Ball says:

To all of the people who thought that Brian Taylor's comments weren't a big deal, this research shows that homophobic language has a profound impact on our sporting culture. Slurs on the basis of someone's sexuality are not acceptable in any circumstance, let alone when broadcasting live into living rooms around the country. People whose words are being heard by millions have an important responsibility to think about the consequences of their actions. This is not the first time Mr Taylor has used homophobic language on air. I note that he has apologised for his latest remark. If he cannot exercise self-control and just blurts these
things out in the heat of the moment, perhaps he is not qualified to be sitting in front of a live microphone.

Those who broadcast his thoughtless comments also have responsibilities. The Commercial Television Industry Code of Practice provides that a television station must not broadcast program material likely to provoke or perpetuate intense dislike, serious contempt or severe ridicule against people on the grounds of sexual preference. So Channel Seven was right to insist that Mr Taylor withdraw his remark and apologise on air.

I am also very pleased to acknowledge the efforts of the AFL, which has been one of the most progressive sporting codes in Australia in combatting prejudice on and off the field, including prejudice on the grounds of sexuality and obviously, of course, also race. Indeed, earlier this year the organising bodies of all four of Australia's major football codes together with Cricket Australia made a commitment to introduce new policies to stamp out homophobia. But, unfortunately, it only takes one thoughtless remark to undermine these efforts. Are people in prominent positions in the media really that ignorant, really that cruel, really that careless—or so prejudiced? If they are, they simply do not deserve to occupy positions where they can hurt people by what they say.

I think Mr Taylor and others could learn something from a group of students I met at Unley High School in Adelaide in my home state of South Australia recently. They saw the impact that using gibes such as 'you're so gay' and 'that's so gay' as insults could have on people who are gay. So they formed a group at the school and launched an annual Think Before You Speak Week. They stood up and said to their peers homophobia is not on. I'd like to acknowledge two of the key students involved in Unley High School's Gay-Straight Alliance—Isaac Thiele-Swift and Ben Strempel—and the support from the co-ordinating teacher, Jo van der Zwaag, and Principal Susan Cameron. This is a real example of leadership. It is an example Brian Taylor should take on board.

Mr Taylor could also learn from the courage shown by Ian Thorpe over the weekend. Ian Thorpe spoke about the anxiety he had suffered because of anti-gay attitudes in the community. He said: "I wanted Australia to be proud of me. I didn't know if Australia wanted its champion to be gay." It is terribly sad that Ian Thorpe was worried that Australians would not accept him as their sporting champion if he were gay, terribly sad that he worried that Australians would not celebrate his extraordinary achievements as our representative if he were gay.

It is as sad that every day in Australia people are made to feel confused, conflicted and even guilty over their identity. Thoughtless comments like Brian Taylor's only contribute to an environment where people are made to feel like this, but the courageous actions of people like Ian Thorpe and the students at Unley High School reassure me. They demonstrate that, for every unthinking, ignorant, cruel bigot in this country, there are hundreds of thoughtful, tolerant, decent and ethical people. For every loudmouth, there are hundreds of people quietly behaving with integrity and with dignity. And, for every homophobe, there are hundreds of people, gay and straight, with the courage to stand up for what is right.
This is not my first speech. I rise to contribute to today's matters of public interest discussion. There are four important matters that I will bring to the attention of the Senate chamber in the next 15 minutes. They are of great importance to the people of Tasmania and the nation. They include a threat to the public health, veteran suicides, the Tasmanian Freight Equalisation Scheme and the loss of CSIRO forestry research jobs in Tasmania.

I would like to thank the federal Minister for Health, Mr Dutton, and his team, who visited and had a meeting with me yesterday about a matter regarding a serious threat to the public health in Tasmania. I have every confidence that the health minister will ensure that the people of Tasmania are kept safe and the doctor at the centre of this matter who was alleged to be dangerously unsafe will be stood aside pending the results of an independent investigation. Once again I thank the health minister for acting so quickly on my request for a meeting and listening to my team's concerns. I hope for a speedy resolution to this matter and ask that the federal health minister give an assurance that this medical professional is stood aside pending the results of an independent investigation.

I request an independent investigation because there is also an allegation from a very credible source that accuses the body normally tasked with disciplining and registering doctors, AHPRA, of dysfunctionality, incompetence and/or misconduct, and there is compelling evidence to suggest that this is the case. In relation to the Australian Health Practitioners Registration Authority there is another matter that I will speak to during my time in this chamber.

I believe that Tasmania and other states deserve a national health practitioners registration authority body that is not funded by doctors, run by doctors and managed by doctors. It is not healthy to solely have doctors in charge of the registration and disciplining of doctors. After taking advice from health whistleblowers, I am of the view that, in order to have a safer medical system, we must move to a situation where there is greater independence, transparency, government oversight and accountability in the registration and disciplining of medical practitioners.

There are three significant independent reviews on the public record in Australia right now which show that AHPRA is systematically flawed or dysfunctional, and serious questions are raised on the competence of members of AHPRA and their medical boards. These reports are the Hunter report from Queensland, the Forrester report from Queensland and the Victorian Legislative Council's Legal and Social Issues Legislation Committee report No. 2 Inquiry into the performance of the Australian Health Practitioner Regulation Agency. In the last nine months I have also provided this government with much written evidence to strongly suggest that something is seriously wrong at AHPRA. For the moment, I will leave the protection of public health to the federal health minister, the Tasmanian health minister, the Tasmanian Premier and the Australian Prime Minister but, if these politicians fail to act quickly and
suspend this doctor, pending results from an independent investigation, I will use parliamentary privilege in this place and name this individual so that ordinary Tasmanians can make informed decisions to protect themselves and the health of their loved ones.

I now turn to the very worrying matter of Australian veteran suicides. Why is this government covering up the number of suicides in our Australian war veterans' community? Sadly, everyone in the ex-service community knows that, since 2000, hundreds of veterans who saw active service in East Timor, Iraq and Afghanistan have taken their lives. How have senior military officers, politicians and Commonwealth public servants been able to escape being held accountable for this national disgrace?

Our senior military officers and government bureaucrats know that Australia has never had enough troops and military resources to safely carry out the orders given to them by our politicians. At 1.2 per cent, our Defence funding, as a percentage of the GDP, stands at an all-time, historic low since pre-World War II. Most Australians are shocked to learn that if we placed every full-time member of our ADF—that is, Navy, Army and RAAF—in the MCG, we would barely half fill it. All public service and military leadership know that in the last 15 years a relatively small number of combat troops were expected to carry a massive active service workload. The present Australian veteran suicide crisis is a direct result of military leadership silence and compliance with orders from politicians who overcommitted our under-resourced Defence forces to protracted foreign wars. Why else would the top military brass and politicians allow our ADF members to have their active service deployments increased from six to eight months, complete up to 13 tours of active duty in just over a decade and be allowed to participate in armed combat controls while officially receiving antipsychotic and antidepressant medication? There is a reason why most political parties, senior military and government bureaucrats want to cover up our veteran suicide rate and limit official claims. The reason is this: if the true number of veteran suicides over the last decade became public, it would be damning proof of our senior Defence and political leaders' incompetence and failure to stand up for our diggers and their families.

I want this place to be clear on the point I am making. I, like all Australians, am 100 per cent supportive of our ADF members and the work they do. However, our troops have been badly let down by politicians and senior members of the military who have failed to provide them with enough resources and reserves to safely carry out some very dangerous missions. Our combat troops were not given long enough breaks between active deployments, and the evidence is building that our combat troops were allowed to complete too many tours of active duty by military and political leaders who knew better. They knew that too many tours of active duty would lead to this current crisis in veteran suicides but, because they cared more for the budget bottom line, they failed to stand up for members of the ADF and their families. For the sake of transparency, accuracy and respect for veterans, I therefore call on the Minister for Veterans’ Affairs and Prime Minister Abbott to make public all the information their government has covered up regarding Australian veteran suicides.

Tasmania's economy and ability to create wealth, jobs and prosperity for future generations has been held to ransom by absurd, over-the-top sea freight charges and ridiculous passenger travel costs. No state or territory in Australia apart from Tasmania suffers the outrageous logistic costs of simply crossing a border. To travel or trade between Queensland and New South Wales, Australian citizens or businesses simply have to jump in a car or a truck and
drive a short distance across an imaginary line on a map—it would cost little more than a tank of fuel—whereas to travel or trade between Tasmania and Victoria, significant costs are incurred because of the 300 to 400 kilometres of open ocean separating the two Australian states. Put simply, travelling over 300 kilometres of open ocean is far more expensive than travelling over 300 kilometres of shiny, well-maintained, expensive mainland roads and infrastructure.

This Prime Minister and his government have promised to spend tens of billions of extra Commonwealth taxpayers' dollars on these expensive mainland roads and infrastructure, while this federal government is prepared to spend only $120 million on the Tasmanian Freight Equalisation Scheme. I will repeat that very important point for members of this chamber and for mainland residents of our country. Our Prime Minister and his Liberal government have promised to spend tens of billions of extra Commonwealth taxpayers' dollars on mainland roads and infrastructure linking states, while this federal government is prepared to spend only $120 million on the Tasmanian Freight Equalisation Scheme, which links us to our mainland counterparts. Clearly, Tasmania is being unfairly treated by this Liberal government, as it was by the previous Labor government, when the cost of doing business and travel across state borders is compared to other mainland states. Tasmanian businesses, when compared with every other business in other mainland states, are being strangled, smothered and choked by this Liberal-National government and the unavoidable, unique and high costs of open-ocean travel across an Australian state border. So is it any wonder that, as research Professor Henry Reynolds of the University of Tasmania's Department of History and Classics says, 'No other state has been so often in depression or experienced such a persistent loss of population.'

All Tasmanians ask in reply to this clear injustice is a comparatively small decrease in mainland infrastructure and road budgets and a modest increase in the Tasmanian Freight Equalisation Scheme from $120 million to $300 million. A reduction of $180 million in the mainland's infrastructure budget of tens of billions, in addition to the Tasmanian Freight Equalisation Scheme, would be a drop in the ocean for mainland states—but it would be a lifeline for those Tasmanian businesses who are fighting like hell to keep their employees in work.

Therefore, I call on—indeed, I demand—every Tasmanian member of this parliament support my call for $180 million of Commonwealth funds to be taken away from mainland road and infrastructure and immediately invested in the Tasmanian Freight Equalisation Scheme. When the scheme's total annual budget is $300 million, there will be no excuse why the current cost of moving freight and passengers across our border with Victoria cannot halve. When the Tasmanian Freight Equalisation Scheme total annual budget is $300 million, there will also be no excuse why all freight—both domestic and export—would attract the support of Commonwealth funding.

If the Bass Strait travel and transport cost crisis is not properly addressed, tens of thousands of jobs—both direct and indirect—are at risk. A relatively modest investment of an extra $180 million into the Tasmanian Freight Equalisation Scheme will produce massive benefits to the economy and boost the job security of tens of thousands of Tasmanian workers.

I will be writing a letter to the Prime Minister outlining my, and the Palmer United Party's, plans for an annual increase of $180 million to the current $120 million scheme, taking it to a
total of $300 million per year. I will invite—and expect to receive—the written support of all Tasmanian members of this parliament. Indeed, I will name and shame those Apple Isle members who refuse to support a $300 million Tasmanian Freight Equalisation Scheme.

Senator Whish-Wilson: You have my support.

Senator LAMBIE: Thank you. In the time I have left, I would like to take this opportunity to join DLP Senator John Madigan and speak against the loss of 33 CSIRO forestry scientists' jobs, particularly those 13 jobs in Tasmania. I want to put on the record my strong support for the Tasmanian forestry industry and Tasmanian forestry workers and their families.

The Greens in this parliament should hang their heads in shame at the deliberate damage they have done to the Tasmanian forestry industry. The Greens should be held to account for their betrayal of my beautiful state of Tasmania. Late last year, Bob Brown made a Facebook post which whined for a debate about the future. The only reason Bob wanted to talk about the future is because he is ashamed to talk about his past. The truth must come out. Have the Greens taken the tax dollars of the Tasmanian people and workers and betrayed them? The key question that must be answered today by the Leader of the Government in the Senate, Senator Abetz—a fellow Tasmanian—is: Will you support the PUP's call to reinstate all the sacked CSIRO workers and, in particular, the 13 scientists from Tasmania?

The only time I want to talk to Mr Brown is when he is sitting before a Senate committee, on affirmation, answering questions about his, and his Greens colleagues', actions which have destroyed confidence, hope and jobs in my great state of Tasmania. I want a forum where there will be serious consequences, such as a contempt of parliament, if Green lies are told. There are enough public comments on the record from both Labor and Liberal politicians about the extreme damage the Greens have done to the Tasmanian economy and our international reputation. A spokesperson for Julia Gillard, former MP and Prime Minister, said:

This must include the end of campaigns which seek to sabotage timber communities. These campaigns don't just attack jobs, they attack the chances of protecting our forests.

The Hon. Greg Combet quoted a Ta Ann Tasmania announcement that:

… sales to Japan had fallen by 50 per cent as a result of persistent protest activities by environmental groups—particularly Markets for Change.

And Senator Richard Colbeck said:

The Intergovernmental Agreement (IGA) is now the weapon of choice for the ENGOs and the Greens in their job killing campaign.

Budget

Senator POLLEY (Tasmania) (13:49): As I have mentioned on several occasions in this chamber, the Assistant Minister for Social Services, Mitch Fifield—who has just entered the chamber—announced on 26 June this year that the government would be scrapping the dementia and severe behaviours supplement. This one-year-old supplement ensures that vulnerable people receive the care and support they need so they can live their lives with dignity and comfort.

It is obviously essential that this government considers very carefully just what this decision means for aged-care providers, many of whom survive on thin profit margins. The
removal of this dementia supplement means that many of these providers will no longer be able to invest in the staff and infrastructure necessary to care for those with the severe psychological and behavioural problems associated with dementia.

In addition to that, they need to consider what this decision means for those who actually live with dementia and their families. What is sad about the debate about this supplement is that we very rarely hear about those who are most affected. Even if they aren't necessarily capable of telling the story completely themselves, their loved ones can—even if we can really only imagine what some of these people are going through.

I want to change the conversation; I want to tell you about the people who will be affected by the government's decision to remove the dementia and severe behaviours supplement. The stories of these people must be heard. They must be heard so that those people living at the most vulnerable point of their lives are not abandoned.

I am afraid to say that this has a personal dimension for me. My brother-in-law was 38 when he was diagnosed with dementia. The effect on him as an individual was quite profound. But just as profound was the effect on his wife, his extended family, and, very directly, on his two primary-school-age children. As they became teenagers they could not comprehend why their father insisted that they should have to be in bed by seven o'clock, because, unfortunately, he was not able to comprehend that they were becoming young teenagers and needed the guidance of a father. The really sad thing was it takes so long for someone to be correctly diagnosed with dementia. Certainly 38 is a very, very young age. He died when he was 50 and, although very sad and that in itself a tragedy, in some respects it was a relief, because my sister was determined to care for him for as long as she could.

It is unfortunate because not only is it short-term memory that goes but personality changes as well. Not everyone has the ability and the support mechanisms to be able to care for their loved one at home. Sufferers also lose the ability to communicate. The intimacy that a married couple share together is lost and in some cases there is no sharing of their feelings at all. But, of course, this is just one story in hundreds of thousands of people in what will become a tsunami that will affect the globe over the next 10 to 20 years.

Recently I was fortunate enough to visit Alzheimer's Australia's Perc Walkley Dementia Learning Centre in Melbourne. It was an experience I will quite simply never forget. I thought, having firsthand experience with my brother-in-law and my father-in-law, that I had some knowledge about the impact that it has certainly on families but on also the individuals. Thanks to the incredible work undertaken by those at the centre, anyone can experience what it feels like to live every day with dementia. This is achieved by allowing participants to stand in front of a giant, two metre-tall projection wall with an interactive touch screen and gesture-sensor technology and try out the 'virtual dementia experience' for themselves. I witnessed the use of special effects so that surfaces ripple or change colour so that my senses were overridden and I found it very hard to concentrate.

But what was impressive and what was impressed upon me by those at the centre was that people with dementia often struggle to communicate and engage with others. So it is not always easy for them to tell others just what is so frightening about everyday life activities. We need to do all we can to find out what it is like to live with dementia. These people cannot be abandoned. Alzheimer's Australia is a fantastic organisation and I would like to take the opportunity to acknowledge the work by the former National President, Ms Ita Buttrose, and
at the same time congratulate Graeme Samuel AC for taking on the very important role as the new National President of the Alzheimer’s Australia.

I would like to share with you some stories that are quite heartbreaking. I will take the example that has been shared with me of Mary and her father, Ted. Mary’s father has Alzheimer’s disease and over a period of five weeks was moved three times between a hospital and two different facilities. Ted found these changes very distressing and his behaviour reflected this. Six weeks after her dad entered permanent care she received a phone call from the provider, who told her to, ‘Take a deep breath and brace yourself’. Mary was told that her father had thrown a chair through a window. No-one was injured but he was now locked in the courtyard for everyone’s safety.

People like Mary’s dad need extra care and support. They need extra attention and for this to occur the providers need extra assistance. This government needs to take leadership on this issue. I will not allow the minister to abandon those people displaying severe psychological and behavioural problems associated with dementia. I will not let up on this. I have spoken numerous times. I will continue to make a noise; I will continue to speak out and I will do so not just for the aged care providers shouldering an enormous responsibility and workload but for people like Mary and her father, Ted.

I know, as I am sure the assistant minister already knows, the sector are outraged, disappointed and feel totally abandoned. You know, Minister, because you snuck in here on 26 June and you did not consult with the sector at all. This government, as it has with so many policy areas through this budget, has attacked the most vulnerable in our community. This government knew for nine months that there was a blow-out in the expenditure on dementia supplements support, but they did nothing. They just sat on their hands, because they have no vision, no policy and they do not have a minister for aged care—unlike the previous government, who gave the priority to this area. We did the heavy lifting. What you are doing now is trying to unpick the good work that the previous Labor government did in consultation with this sector. We on this side of the chamber will continue to speak up. Minister, if you were to go out and talk to the sector and listen to them— which they are saying you are not doing—you would find out that what I am saying is the reality of what is happening currently in the sector. Those people suffering with dementia, those caring for those people with dementia, their families and the community deserves better. It is shameful that this government is not prepared to stand by the most vulnerable in our community.

As I said, it is not just me and it is not just the opposition talking about these issues; it is the sector themselves. I would encourage and urge the assistant minister to go out and speak to the sector and take advice from them, because at the moment they are feeling quite let down, and that is apart from the people and families affected by dementia.

CONDOLENCES

Underwood, His Excellency the Hon. Peter George AC

The PRESIDENT: Order! Senators, as you would recall, earlier last week I advised the Senate of the death of His Excellency the Honourable Peter Underwood AC, Governor of Tasmania. I advise that a state funeral will be held on Monday, next week. A condolence book will be available on a table in the walkway between the President's suite and the
chamber, this afternoon and tomorrow morning. I invite senators who wish to, to sign that condolence book.

DISTINGUISHED VISITORS

The PRESIDENT (14:00): Prior to moving to questions, I advise honourable senators that we have a distinguished visitor today from New Zealand. I draw the attention of honourable senators to the presence in the chamber of a parliamentary delegation from New Zealand led by Dr Paul Hutchison MP, chair of the Health Select Committee.

On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators: Hear, hear!

Dr Hutchison MP was then seated accordingly.

QUESTIONS WITHOUT NOTICE

The PRESIDENT (14:00): Order! It being 2 pm, I move to questions without notice.

Future of Financial Advice

Senator O'NEILL (New South Wales) (14:00): Mr President, my question is to the acting Assistant Treasurer, Senator Cormann. I refer to comments by Michael O'Neill, CEO of National Seniors, who has described the government's actions yesterday to secure its watering down of financial advice as a 'grubby' deal which treats older Australians with contempt. Won't the government's grubby deal leave consumers vulnerable to dodgy advice?

Senator CORMANN (Western Australia—Minister for Finance) (14:01): I thank Senator O'Neill for that question.

Opposition senators interjecting—

The PRESIDENT: Order on my left!

Senator CORMANN: It will not surprise her when I say that I do not accept and do not agree with the characterisation of what happened in the chamber last night. What happened in the chamber last night is that the Senate supported good improvements to our financial advice laws, good improvements that deliver benefits for consumers and small-business financial advisers. The coalition delivered on the commitments it took to the last election. The Senate supported our changes to financial advice laws through regulations. After we registered and tabled the regulations, as I always said we would do, we had a range of conversations with senators on the crossbench, including senators from the Palmer United Party. Mr Palmer, as leader of the Palmer United Party, put forward some suggestions on how our improvements could be made even better. And the government considered those suggestions. We recognised that they were sensible suggestions. We decided to adopt those suggestions, and we very transparently put all of the detail on the public record.

As a result of the changes that were supported by the Senate yesterday, access to financial advice for consumers will be more affordable, because we have cut all the unnecessary and costly red tape. We have maintained all of the important consumer protections that matter for consumers. We have got rid of the unnecessary and costly opt-in requirement forcing people to re-sign contracts with their advisers on a regular basis. We got rid of the retrospective additional annual fee disclosure requirement. We provided certainty around the operation of
the 'best interests' duty. We provided certainty around the availability of scaled advice. These are all good, sensible reforms which will improve the regulatory settings for financial services in Australia.

Senator O'NEILL (New South Wales) (14:03): Mr President, I ask a supplementary question. I refer to the commitment made by the Prime Minister's parliamentary secretary, Mr Frydenberg, to 'genuinely consult with those parties who are most affected by any new legislation'. What consultation did the minister undertake with business or consumer groups, some of whom were in the building yesterday, prior to agreeing to his grubby deal to water down financial advice?

Senator CORMANN (Western Australia—Minister for Finance) (14:03): I thank Senator O'Neill for that supplementary. The consultation on improvements to our financial advice laws has been going for more than 3½ years. We were very clear, in the lead up to the last election, what our objective was. Our objective was to ensure that we had a robust but efficient regulatory system in place, which was competitively neutral and where consumers or people saving for their retirement, managing their financial risk through life, were able to access high-quality advice they can trust and which is also affordable. The changes that were supported by the Senate yesterday—and I thank the Senate for supporting the government's reforms—will help deliver exactly that. That was a very good outcome. The government does not have the numbers in the Senate. Surprise, surprise. We understand this. Yesterday afternoon, when Labor was starting to worry about what might happen, shadow Treasurer, Chris Bowen, was trying to do a deal with the government, but his deal was very bad. He was trying to send me a last-minute letter to do a deal, but we rejected Labor's deal. (Time expired)

Senator O'NEILL (New South Wales) (14:04): Mr President, I have a further supplementary question. What will be the annual cost to business resulting from the additional red tape in the government's proposed new regulations, which the minister read into Hansard yesterday?

Senator CORMANN (Western Australia—Minister for Finance) (14:05): I thank Senator O'Neill for that final supplementary question. This is the great thing. What we have agreed, with the Palmer United Party and the Australian Motoring Enthusiast Party, represented by their leader, Mr Palmer, is ensure that we have made specific provision in the statement of advice—a form that already exists—in relation to rights and obligations that are already provided for in the Corporations Act and the advice that I have received from the Office of Best Practice Regulation—

The PRESIDENT: Pause the clock!

Senator Moore: Mr President, I have a point of order specifically on direct relevance. As I stood, I was hoping the minister was getting close, but I would ask you to draw the attention of the minister to the specific question about the cost to business.

Opposition senators interjecting—

The PRESIDENT: Order! The minister is being directly relevant. Minister, you have the call.

Senator CORMANN: When Labor imposed all of their additional and unnecessary red tape with their forecast changes, the cost to us—$750 million to implement, $375 million a year in additional—
The PRESIDENT: Pause the clock! Senator Moore.

Senator Moore: Mr President, a point of order on relevance: our question was specifically about cost to business of the changes brought in yesterday. We have not got there.

The PRESIDENT: It also referred to a letter, and—

Opposition senators interjecting—

The PRESIDENT: Order! And it also referred to comments in the chamber yesterday.

Senator Wong: Mr President, on the point of order: with respect, the changes were the letter read into Hansard yesterday. So it is the same topic. And we are asking: 'What is the business cost of the deal, which was read out into Hansard yesterday, by the minister?'

The PRESIDENT: The minister has nine seconds left to answer the question.

Senator CORMANN: The beautiful thing is that the measures that were supported by the Senate yesterday deliver $190 million a year in savings to the financial advisors, which will be passed through— (Time expired)

Carbon Pricing

Senator BACK (Western Australia) (14:07): My question is to the Leader of the Government in the Senate, Senator Abetz. Will the minister advise the Senate why it is so important to remove the carbon tax?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:08): It is so important to remove the carbon tax—

Senator Lines interjecting—

Senator ABETZ: For Senator Lines's information, it is so important because the Labor Party went to the election in 2010 promising that there would be no carbon tax and then went to the 2013 election saying that they had already removed the carbon tax. The Labor Party did the exact opposite of that which they promised the Australian people. But, setting aside that hypocrisy, let me get to Senator Back's question.

The carbon tax is a blot on our economy. It is hitting holes in the family budgets of everyday Australians. It is impacting on the cost of living to the tune of $550 per annum for the average Australian family. It is costing jobs, be it in manufacturing—the average dairy farm pays an extra $10,000 per annum for the carbon tax just on the family farm—

Senator Cameron: Don't you talk about manufacturing; you chased the car industry away!

Senator ABETZ: Senator Cameron interjects about manufacturing jobs. He presided over a government that saw the demise of 140,000 manufacturing jobs, partially due to the carbon tax that they championed. The bad thing about all of this is that not only does it attack the cost of living, attack jobs and attack investment but it also does nothing for the environment, as has been proven time and time again. It is a $15,000 million hit on our economy over a two-year period. It is costing us $11 million per day. As the Labor Party continue to attach themselves, limpet like, to this carbon tax, which they promised they would never introduce and they promised to get rid of, they are destroying jobs and the cost of living in our nation. (Time expired)
Senator BACK (Western Australia) (14:10): Mr President, I ask a supplementary question. Can the minister advise the Senate what impediments now exist to removing the carbon tax?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:10): The major impediment to the removal of the carbon tax is Mr Shorten and the Australian Labor Party. After about 40 hours of debate in relation to these measures in this place we still do not have a resolution. After about three to four hours of debate in committee on just the first amendment, those opposite—the Labor Party and the Greens—have been unable to bring themselves to vote on simply that one amendment. So, having promised no carbon tax and having promised to remove the carbon tax, the Labor senators in this chamber are doing everything they can to keep the carbon tax on life support. The major impediment, Senator Back, to the removal of the carbon tax is Mr Shorten's manic determination to keep the carbon tax, which makes me think that if he were ever to become Prime Minister he would reintroduce the carbon tax. (Time expired)

Senator BACK (Western Australia) (14:11): Mr President, I ask a further supplementary question. Is it a fact that 66 of the 76 senators were elected on a platform of either having no carbon tax or removing the carbon tax?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:11): It will not surprise the Senate to learn that Senator Back is absolutely right: 66 members of this body were elected on either having no carbon tax or getting rid of the carbon tax. Yet it seems impossible to shift Mr Shorten and his 25 Labor senators in this place to do that which they promised the Australian people. The failure of this place to pass the repeal of the carbon tax is as much a blot on the body politic of this nation as the carbon tax is a blot on the economy of this nation. Mr Shorten has a decision to make. He can continue to be in lock step with Senator Milne and the Australian Greens, although they were the architects of Labor's demise and of the carbon tax. If they want to remain in lock step, so be it, but Mr Shorten needs to come clean—would he introduce a carbon tax? (Time expired)

Workplace Relations

Senator LINES (Western Australia) (14:12): My question is to the Minister for Employment, Senator Abetz. I refer to the minister's decision to revoke the Commonwealth Cleaning Services Guidelines. I also refer to advice from the minister's own department: There is likely to be a reduction in cleaning costs for government agencies by removing the requirements for pay rates and workplace relations practices that are outside the mainstream framework. Was the minister aware of this advice before he misled the Senate yesterday when he said that cuts to cleaners' wages are absolutely not likely to occur?

The PRESIDENT: Senator Lines, you made an allegation about the minister. I think you are borderline with that, Senator Lines. If the minister wishes to take the question, I call the Leader of the Government in the Senate, Minister Abetz.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:13): As I have said on a number of occasions in this place, we as a government believe that the wages that
are set in the Australian workplace relations environment should not be determined by the
government but by the Fair Work Commission in the absence of workers and employers being
able to come together in an enterprise agreement. What the Labor Party have not been able to
explain to the attendants, to the security guards and to the grounds maintenance staff is why
they did not intervene in relation to their wages.

Don't those on that side believe that the Fair Work Commission provides a sufficient safety
net and a sufficient level of wages for these workers? The real reason that the Australian
Labor Party is so interested in this matter is that these so-called guidelines, designed allegedly
to protect workers, were more designed to protect trade unions, because the guidelines
required these things: employees had to be provided with information about joining a union
by union officials. It was also a requirement that union delegates attend all staff inductions
and scheduled employee meetings—

Opposition senators interjecting—

The PRESIDENT: Pause the clock. Order on my left! You have your Manager of
Opposition Business in the Senate waiting to be heard.

Senator Moore: Mr President, again, my point of order is on direct relevance. The
specific question, the only question in the question, was whether the minister was aware of
the departmental advice about savings before he gave his answer yesterday.

The PRESIDENT: Senator Moore, you are correct. That was the question, but there was
also an allegation against the minister in that question, in the preamble. Minister, you are
being directly relevant and you are responding to the allegations raised in the question.
Minister, you have the call.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting
the Prime Minister for the Public Service and Minister for Employment) (14:16): Thank you,
Mr President. Can I then turn to the specific issue in the question and, as I answered
yesterday, the only way an employee's wages can be reduced is if the workers and the
employer agree in an enterprise agreement to do so or if the Fair Work Commission were to
rule and make a decision accordingly. As I said yesterday, I doubt that either of those
scenarios would occur. Is it a hypothetical? Yes. Will it occur? No. (Time expired)

Senator LINES (Western Australia) (14:16): Mr President, I ask a supplementary
question. I refer to the advice to the minister, and I quote:
The Business Services Contractors Association of Australia supports revoking the Guidelines. It
considers that removing the Guidelines will assist cleaning contractors competing for Government work
because companies will now be able to submit tenders based on award rates.
Is the BCA Association correct?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting
the Prime Minister for the Public Service and Minister for Employment) (14:17): The reality
is that, today, cleaning contractors can bid for quotes on government cleaning contracts on the
basis of modern award rates. That was the position under your government and, as I
understand it, the vast majority of government cleaning contracts actually allows for that,
Senator Lines. So before you just regurgitate a question, served up to you by your old union,
you should be doing a bit more research to ensure that you get your facts right because not
only do you embarrass yourself but you embarrass the whole labour movement with these sorts of questions.

Senator LINES (Western Australia) (14:18): Mr President, I ask a further supplementary question. In the light of the minister's statements to the Senate yesterday that cuts to cleaners wages are 'absolutely not likely to occur' and, I quote, 'My money is on it not happening,' both of which are completely at odds with the advice of the minister's own department, how can cleaners trust the minister when he claims that wages will not be cut?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:18): Mr President, as we speak, the guidelines which we speak about have been removed. Is there one cleaner in Australia today who is now being paid less because of the removal of the guidelines? The answer is no. And Senator Cameron's smile tells us that he knows the answer as well.

Schools: Corporal Punishment

Senator WRIGHT (South Australia) (14:19): My question is to the Minister representing the Minister for Education, Senator Payne, regarding comments made by Dr Kevin Donnelly, co-chair of the government's national curriculum review. Dr Donnelly told 2UE yesterday afternoon that corporal punishment had been very effective when he was at school and he had no problem with it, if supported by the school community. My question is simple: does the federal government agree that corporal punishment is a very effective method of discipline for schoolchildren? Does the federal government think there is ever a place for violence as a form of discipline in Australian schools?

Senator PAYNE (New South Wales—Minister for Human Services) (14:19): I thank Senator Wright for her question. The Australian government does not support corporal punishment as an approach to student behaviour management in schools.

Senator WRIGHT (South Australia) (14:20): Mr President, I ask a supplementary question. Given that answer, which is unequivocal, and I am pleased to hear it, will the Abbott government now acknowledge that education minister Christopher Pyne made a serious error of judgement in appointing Dr Donnelly to the Curriculum Review Panel and terminate his employment?

Senator PAYNE (New South Wales—Minister for Human Services) (14:20): I absolutely do not accept the premise in Senator Wright's question in relation to the matter that she has raised about Dr Donnelly. I have made the government's position on corporal punishment very clear. I can also add that the issue of corporal punishment is not and would not be part of the terms of reference for any Commonwealth inquiry. The government is absolutely resolute in indicating that all students should have access to high-quality education that is delivered in a safe, supportive and respectful environment. All ministers for education have endorsed the National Safe Schools Framework, which advocates positive, whole-of-school approaches to student wellbeing and behaviour management.

Senator WRIGHT (South Australia) (14:21): Mr President, I ask a further supplementary question. In spite of the minister's answer, the fact is that the federal government has given Dr Donnelly a very powerful platform and a degree of legitimacy to advance his many
unorthodox views and to shape the Australian Curriculum. If there is clearly no place for assault in Australian schools, why will Minister Pyne not sack Dr Donnelly?

**Senator PAYNE** (New South Wales—Minister for Human Services) (14:21): I think it is fair to say that a perspective on unorthodox views is possibly in the eye of the beholder and I would say that to Senator Wright as a member of the Australian Greens. I simply wish to reinforce my initial response to Senator Wright, which was that the Australian government does not support corporal punishment as an approach to student behaviour management in schools—full stop.

**Budget**

**Senator EDWARDS** (South Australia) (14:22): My question is to the Minister for Finance and the Minister representing the Treasurer, Senator Cormann. Can the minister advise the Senate how decisions made this year about budget repair will impact on living standards in the future and affect intergenerational equity?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:22): I thank Senator Edwards for that very important question. If we do not repair the budget now, what we are doing is forcing up taxes for our children and grandchildren and we are forcing down living standards for our children and grandchildren. That is what we are doing because if we continue to borrow in order to fund our consumption today, eventually it will have to be paid back. The only way you can pay it back eventually is if you increase taxes down the track or if you cut spending down the track. If you have a mum and dad putting a part of their grocery bill on their credit card every month and they run up that credit card for six years then they have to take out a second credit card to pay for the interest bill on the first. Can you imagine if they then said to their children, 'By the way, eventually, we are going to just keep on running up this credit card. We are going to continue to fund our groceries on this credit card and eventually when we pass on we will pass on the credit card debt to you and we will expect you to pay off not only the credit card but also the compound interest on it.' I bet not anyone on the Labor side, I bet not anyone on the Greens side, I bet not anyone in this chamber would ever do this to our children. Why should the Australian government to this to our children?

The Labor Party are playing politics with our budget. They are playing politics with the national interest. Do not look any further than the fact that they voted down budget measures that they initiated and banked in their last budget. Today the Treasurer, Mr Hockey, introduced the Labor 2013-14 Budget Savings (Measures No. 1) Bill 2014, which seeks to bring back before the parliament the budget measure from Labor's last budget, which Labor opposed last week. So every single budget measure that Labor initiated that Labor blocks in this Senate will come back as a Labor 2013-14 budget savings measures bill until Labor passes their own savings. *(Time expired)*

**Senator EDWARDS** (South Australia) (14:24): Mr President, I ask a supplementary question. Will the minister explain how the decisions made this week about economic and fiscal reform will impact on investment decisions and business confidence?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:25): If we want to protect our living standards today, if we want to build opportunity and prosperity for the future then we need to implement the economic action strategy the coalition took to the last election and we need to implement our plans to repair the budget.
This week last year we had then Prime Minister Rudd go out into the community saying that he was going to be the carbon tax terminator. Now we on this side of the chamber know what a carbon tax terminator looks like and we certainly know that Prime Minister Rudd was no carbon tax terminator because guess what? The carbon tax is back. As soon as the supposed carbon tax terminator, Mr Rudd, goes off into the sunset, here is the Labor Party—having campaigned on the promise to remove the carbon tax, indeed, having asserted they had already abolished the carbon tax—voting every day to keep it. This is a tax that has not been terminated but is still alive and kicking.

Senator EDWARDS (South Australia) (14:26): Mr President I ask a further supplementary question. Can the minister inform the Senate what decisions are necessary to provide confidence that Australia is building a stronger, more prosperous economy and that repairing the budget is on track?

Senator CORMANN (Western Australia—Minister for Finance) (14:26): I refer senators on the Labor side in particular to a quote from former Treasurer, Mr Swan. In his 2011 budget speech he said:

… meandering back to surplus would compound the pressures in our economy and push up the cost of living for pensioners and working people.

Treasurer Swan said meandering back to surplus would be bad for pensioners, families and the economy. Well guess what? Under Bill Shorten and under Chris Bowen, not only are they not meandering back to surplus but they have taken the expressway back the other way. They are taking the expressway to bigger deficits and more debt and that is not in the national interest. The Labor Party need to start thinking about what is in the national interest, they need to start thinking about what is in the interest of our children and grandchildren. And what is in the interest of our children and grandchildren is to build a stronger economy and to fix the budget mess that Labor left behind.

ANZUS Treaty

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:27): My question is to the Minister for Defence. I refer the minister to an answer he gave on Lateline on 12 June when asked whether the ANZUS alliance commits Australia to support the United States if it is in a conflict in our region. The minister said, 'I do not believe it does.'

I also refer the minister to the Foreign Minister's statement about the ANZUS Treaty to the Canberra conference just four days later on 18 June where she said, 'At the heart of the treaty is a commitment to come to one another's aid in the worst of times.' Does the Defence Minister stand by his statement or is the Foreign Minister correct?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:28): May I thank the shadow minister for attending a funeral yesterday in Gosford. The point about speculating and hypotheticals in what is our most important strategic relationship is, quite frankly, trite and not helpful. What was put to me was a hypothetical situation as to whether Australia was 'bound'—that was the word used by the journalist. The fact simply is that the alliance requires us to consult. Of course that is exactly what Australia and the United States would do in circumstances where there is a serious threat to the interests of either. We are not going to speculate about matters that are particularly and dangerously hypothetical.
Let's talk about this relationship. Australia has since 1952 had one of the strongest strategic alliances of any country in the world with the United States. It is a mutually beneficial relationship. Speculation as to the hypotheicals is simply not helpful. We get on with our business together. We do very, very good work together in maintaining and surveilling international stability—of course, for 11 years in Afghanistan and for many years in Iraq together. The senator would know that we have as a member of the Five Eyes community serious responsibility together to surveil counterterrorism activities. The relationship is a very strong one, and I particularly work very hard—almost every day—to make sure that relationship continues to be very successful.

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:30): Mr President, I have a supplementary question—and I thank the minister for his courtesy in the matter of the funeral yesterday. Minister, Tony Jones asked you on that night: 'So, just to complete that answer, does the ANZUS alliance commit Australia or not if the United States is in a conflict in our region?' and you said, 'I don't believe it does.' So it is not as you described his question earlier. Do you stand by your position or is the Minister for Foreign Affairs right when she says, 'At the heart of the treaty is a commitment to come to one another's aid in the worst of times'? (Time expired)

Senator JOHNSTON (Western Australia—Minister for Defence) (14:31): The problem with the senator's question is—

Senator Wong: Is your answer.

The PRESIDENT: Order, Senator Wong!

Senator JOHNSTON: The circumstances surrounding an engagement by either of us in conflict will be varied and diversified. It is simply not helpful. But the question was: are we bound? We are bound to consult and, if our national interest is at stake, I think the answer is very, very obvious to everybody, given Australia's historical connection to the United States and our historical engagement with them in Korea, Vietnam, Afghanistan, Iraq, North Africa and wherever you went to look. We have a long and proud engagement with the United States in maintaining stability and peace throughout the world.

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:32): Mr President, I have a further supplementary question. I ask the minister for a third time: do you stand by your answer to Tony Jones when he asked you: 'So just to complete the answer, does the ANZUS alliance commit Australia or not if the United States is in a conflict in our region?' and you said, unambiguously, 'I don't believe it does.' Are you correct or is the Minister for Foreign Affairs correct when she says, 'At the heart of the treaty is a commitment to come to one another's aid in the worst of times'? Who should the Australian public believe? (Time expired)

Senator JOHNSTON (Western Australia—Minister for Defence) (14:32): For the senator's benefit, there are a number of circumstances spelt out in the clauses with in the ANZUS Treaty, and a direct attack upon the sovereignty of either nation is mentioned. That was not what was put to me. If the senator needs a lesson in the workings of the ANZUS Treaty, I refer you respectfully, as difficult as that might be, to the historical connection—and there has only been one occasion when we have enacted and responded pursuant to the treaty.
Let's just underline the national interest here. There is no national interest in us speculating about these matters. We have gone forward with the United States at every opportunity as a trusted friend and as a trusted ally, and I believe they are very happy with the way the ANZUS alliance is working.

**Broadband**

**Senator CANAVAN** (Queensland) (14:33): My question is to the Minister representing the Minister for Communications, Senator Fifield. Can the minister please update the Senate on the importance of actually rolling out the NBN to rural and regional Queensland?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:34): I thank Senator Canavan for his question and acknowledge that this is first question in this place. I very much look forward to his distinguished contribution, particularly in economic and budget policy.

**Senator Cameron:** He's a National!

**The PRESIDENT:** Order on my left!

**Senator Kim Carr:** You can't mislead the Senate like that!

**The PRESIDENT:** Senator Carr!

**Senator Cameron:** He's a Nat!

**The PRESIDENT:** Order! Minister, you have the call.

**Senator FIFIELD:** Senator Canavan is of course exactly right: in order to deliver the benefits of fast broadband to rural and regional Australia you actually do need to roll the network out—which as we on this side of the chamber know is a small point, but critical nonetheless, that escaped Senator Conroy's attention. The coalition is getting on with the job of rolling out the NBN and getting it back on track. We are committed to delivering fast broadband sooner at less cost to the taxpayer—and, importantly, more affordably for consumers. We in the coalition agree that all Australians should have access to fast and affordable broadband. Nowhere is this more important than rural and regional Australia, which has historically been poorly served in infrastructure.

Since we took government there has been strong progress in rural and regional Queensland. I can confirm that six fixed-wireless network towers have been activated in the Rockhampton area, covering more than 1,500 homes and businesses. The localities covered by the towers in the region include Alton Downs, Glendale, Gracemere, Kabra, Pink Lilly and The Caves. Around Mackay, four fibre serving area modules have gone live since the election—covering almost 10,000 premises. That is in addition to the 4,000 premises covered by fixed wireless in the Mackay region. Accelerating the fixed-wireless rollout has been a significant focus for NBN Co, and I am pleased to say to Senator Conroy that this is what building the NBN looks like. *(Time expired)*

**Senator CANAVAN** (Queensland) (14:36): Mr President, I have a supplementary question. Can the minister advise how the acceleration of the NBN rollout is resulting in more rural and regional Australians taking up an NBN service?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:36): Thank you, Senator Canavan. I can inform the Senate that the government is aware that, for rural and regional Australia to harness the...
benefits of fast broadband, people do need to take up the NBN service. The government knows that, without driving take-up, you do not earn revenue—another revelation for Senator Conroy. Under the coalition, as the NBN Co has ramped up the rollout of fixed-wireless services, we have also seen an increase in the number of subscribers. There were fewer than 3,000 in last September and there are now more than 16½ thousand today. In a little over nine months we have more than quadrupled the number of Australians in rural and regional areas subscribing to an NBN fixed-wireless service. We have always been in favour of an NBN but an NBN that exists in reality, is affordable and is there to deliver to rural and regional Australia.

Senator Lines interjecting—

The PRESIDENT: Order, Senator Lines! It is question time and we need quiet.

Senator CANAVAN (Queensland) (14:37): Mr President, I ask a further supplementary question. Can the minister also advise the Senate how the government will continue its ramp up of the fixed wireless network?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:37): We are absolutely committed to continuing the ramp up of the NBN across all technology platforms, including fixed wireless. I can confirm that, as of 30 June, there were 294 fixed wireless towers under construction covering approximately 65,000 premises and many more are planned, and there were 112,000 premises already covered. This will deliver a great service to rural and regional Australia. Rural and regional Australia know that it has taken the coalition to deliver this. The great lie perpetrated by those opposite is that there was a debate as to whether you are for the NBN or against the NBN. That was never true. We have always been for the NBN but we have been for a real NBN, one that exists, is affordable and one which delivers.

Senator Conroy: What sort of NBN are you turning on?

The PRESIDENT: Senator Conroy, you are turning us off.

Employment

Senator DAY (South Australia) (14:38): My question is to the Minister for Employment and Leader of the Government in the Senate, Senator Abetz. I refer to the statement by the Prime Minister on 28 May 2014 when he said, 'People are more than capable of making decisions based on what is best for them,' and also to the statement by the Minister for Social Services when he said, 'The best form of welfare is a job.' If both those statements are true, why then can a person over the age of 18 in my home state of South Australia get married, have children, drive a motor vehicle, fly an aeroplane, buy a house, take out a mortgage, enter into a mobile phone contract, travel to some of the most dangerous places on earth, smoke cigarettes, drink alcohol, enlisted in the armed forces and shoot enemy combatants, and of course vote but not enter into an employment arrangement which, to again quote the Prime Minister, 'is best for them'?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:39): I thank Senator Day for his question. I congratulate him on his first question and also I thank him for providing me with notice of the question. It was a bit of a bonus receiving a suggested answer as well! I say to Senator Day that it comes as no surprise that you should ask a question about
this topic, given your life-long commitment to creating jobs and your concern for the young of Australia, especially of your home state of South Australia. As to your list of 12 activities, I think I could tick off about nine of them. I will let you guess which three I am not able to tick off.

In direct response to the honourable senator's question, this government is concerned about creating the environment where there can be jobs the young people. So the overarching effort of the government is to create the environment the job creation. The reason for that is that a life on welfare does nobody any favours, especially those who are the recipients of the welfare. That is why the government has adopted recommendations from the former Labor government's review of the fair work laws to clarify the intention of individual flexibility arrangements, to provide more flexibility to workers, to approach their employer and, just so those opposite understand, in Labor's own explanatory memorandum these arrangements were in order to meet the genuine needs of the employee and employer. We did say at the last election that we would not take our policies further than the 38-page policy document and, therefore, we do not too intend to go as far down the track as the senator has suggested. (Time expired)

Senator DAY (South Australia) (14:41): Mr President, I ask a supplementary question. Given rising levels of unemployment in Australia and, in particular, tragically high levels of youth unemployment in my home state, over 40 per cent in some areas, will the government please allow those young people who want to to opt out of the Fair Work Act and allow them to enter the workforce on their own terms if they so choose?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:42): There is no doubt that unemployment is a social scourge. What is more, youth unemployment is an even worse social scourge. That is why I can understand Senator Day's concern, a concern I share with him.

The PRESIDENT: Pause the clock. Order on my right! Senator Gallacher, a point of order?

Senator Gallacher: Yes, Mr President. Standing order 186(1) is continually not being observed. Would they at least address the microphone so that we can hear the answer to that question?

Government senators interjecting—

The PRESIDENT: Thank you, Senator Gallacher. Order on my right!

Government senators interjecting—

The PRESIDENT: Order on my right! I am waiting to call the Leader of the Government in the Senate.

Government senators: Who's in charge? Where's your leader—getting instructions from Clive?

Senator Cameron: You would know about Clive's instructions. You've followed them faithfully. You're a bunch of wimps. Clive says, 'Jump!' and you say, 'How high?'

Senator Back: You jumped. Penny jumped. Don't come up with that nonsense!
The PRESIDENT: Order on my right and on my left! Senator Back and Senator Cameron! There was a point of order raised. One of the reasons, Senator Gallacher, we cannot hear ministers answering questions is the noise in the chamber. Senator Abetz was absolutely within the standing orders. He was addressing the question and the microphone was picking up his voice. Senator Abetz, you have the call.

Senator ABETZ: Thank you, Mr President. I share Senator Day's concern about the scourge of unemployment, especially the scourge of youth unemployment. The Fair Work Commission is currently undertaking its four-yearly review of modern awards, and I trust the commission will carefully consider the employability of young people.

They did show common sense with the after-school minimum hours decision in the retail sector, and I would invite them to also consider their decisions and the impact on youth employment. I also remind the senator that shortly we will have a Productivity Commission review into the whole Fair Work regime. (Time expired)

Senator DAY (South Australia) (14:45): Mr President, I ask a further supplementary question. Given the clear emergency that now exists with respect to youth unemployment, for those young people and their families who wish to, will the government please allow those young people to fund their own job subsidy by allowing them to work at rates of pay and under terms and conditions which—

Senator Kim Carr: Really?

Senator Bilyk: Bring back indentured labour?

Senator Kim Carr: What about a bit of child labour?

The PRESIDENT: Order on my left. Order! Senator Day, you have the call.

Senator DAY: which they and their families consider—and I again quote the Prime Minister—is 'best for them'?

Senator Bilyk: What is best for them is a decent wage.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:46): The Labor Party's reaction to a senator's first question is indicative of the lack of courtesy shown all week during question time.

I agree that there is a youth unemployment emergency. I believe that things may get worse, and that is why the economy needs to be fixed. That is why we need to get rid of the carbon tax; to undo some of the damage that has been done over the past six years. In your home state of South Australia, Senator Day, and in my home state of Tasmania, the youth unemployment rate is simply unacceptable. That is why we are seeking to build a stronger economy.

Having said all that, I remind you that we did go to the last election with a 38-page policy which we said we would not deviate from. I encourage you and any other interested party to make submissions to the Fair Work Commission and the Productivity Commission. (Time expired)

Education

Senator KIM CARR (Victoria) (14:47): My question is to Senator Payne, the minister representing the Minister for Education. I refer to a statement by the education minister: 'We
are trying to help rural and regional Australians by allowing their universities to compete on price. Can the minister cite one example of where a university deregulation in another country has resulted in lower fees and lower student debts?

_Senator PAYNE_ (New South Wales—Minister for Human Services) (14:48): I thank Senator Carr for his question. I do not have the specific figures with me on that matter. But I remind the senator that, as I said to the chamber yesterday, the Vice-Chancellor of the University of Wollongong, the Vice-Chancellor of CQ in Queensland, the former Vice-Chancellor of the University of New England—all of those individuals running regional universities in this country, just for starters—

_Senator Lines_: They all love it. Shame about the students.

_Senator PAYNE_: let alone those that the senator abhors so much apparently—the Group of Eight. All of those vice-chancellors put on the record their support for this government's reforms. They support the opening up of competition in the university environment and they support the minister's proposals. All of those individuals are on the record in this chamber yesterday. I am sure the attendants could assist the senator with a copy of the _Hansard_.

_Senator KIM CARR_ (Victoria) (14:49): Mr President, I ask a supplementary question. I take it that the minister cannot answer the question. Given that the minister is so keen on quoting vice-chancellors, I ask her this: the Launceston _Examiner_ reported, on 17 June, the possibility of closures in campuses in Tasmania's north as a result of the government's $30 million cut to the University of Tasmania. The university vice-chancellor there said, 'nothing can be ruled out—including campus closures'. If the Launceston and Burnie campuses are forced to close as a result of your policies, where will those students go to university?

_Senator PAYNE_ (New South Wales—Minister for Human Services) (14:49): I might ask someone for a copy of yesterday's _Hansard_ so I can again provide those supporting comments from those other vice-chancellors—and the number of universities around the country—to Senator Carr, because he clearly has not had a look at that.

What is actually the problem here is not the government's proposals but those opposite's complete incapacity to think outside the square for even a moment in terms of the operation of Australia's higher education sector and the capacity we now have to make it a world-leading, competitive higher education sector. That does not include scaremongering; it does not include the sorts of fanciful statements that those opposite are grasping at straws to use in this debate. It includes a sensible discussion about the opportunities that are going to be available to what will be 80,000 more students in this country by 2018. Those opposite— (Time expired)

_Senator KIM CARR_ (Victoria) (14:50): Mr President, I ask a further supplementary question. I notice that the minister cannot tell us anything about what is happening in Tasmania. But I would ask her if she could tell us about why the Australian Veterinary Association has warned that under the government's changes veterinarian degrees could cost a quarter of a million dollars and take up to 45 years to pay off? How can the minister still be arguing that regional universities, like James Cook or Charles Sturt, could reduce their fees, when Universities Australia has found that veterinarian science fees will need to go up by at least 37 per cent?
Senator PAYNE (New South Wales—Minister for Human Services) (14:51): I do have some notes from the minister on veterinary education issues which I cannot put my hand on right now, but the point that Senator Carr consistently misses is the opportunity that this gives Australia's higher education sector. This will open up an extraordinary future for tens of thousands of students in this country—people that your government was not prepared to fund or support: in sub-bachelor degrees, in diplomas, in associate diplomas and in pathway courses. You were not prepared to fund a single one. But we are prepared to do that. We are prepared to support those individuals and we will make a difference in the higher education sector in this country.

Child Care

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:52): My question is also to the Minister representing the Assistant Minister for Education, Senator Payne. Can the minister confirm reports that the budget for childcare payments supporting low-income earners blew out by almost $30 million due to rorting?

Senator PAYNE (New South Wales—Minister for Human Services) (14:52): I again thank Senator Ruston for her extremely important question, because the damage done to this program is very concerning. I can confirm for the senator reports that the Commonwealth Jobs, Education and Training Child Care Fee Assistance Program has been subject to very significant exploitation in recent years by what is a small but, unfortunately, expanding network of family day-care services and in some cases parents who are engaging in what is known in the business as sharp practices.

Those sorts of practices have included services which have charged excessive fees; a number have been found to have been charging fees upwards of $20 to $30 an hour; services claiming for hours of care which were actually not delivered—that is, a number of family day-care services charging the JET parents in this case for 12-hour blocks of care per day despite the child only being in care for a few hours; parents actually claiming more child care than they need to complete their own study or training commitments; some JET parents who are placing their children in care over 50 hours a week, which is of course fully subsidised by taxpayers except for the 50c per hour per child co-contribution, even in cases where their courses only required a 10- or 20-hour per week study commitment; and parents who have continued to claim the same sort of assistance, despite no longer participating in or having actually completed their study or training.

As a result of those practices, government spending on the program blew out by around $28 million under the previous government in 2012-13 and again the year after that, despite the number of families and children accessing the program actually declining over the same period. The expectation was that the program would blow out a further $240 million over the next four years to 2017-18 without the government taking some action.

I think much of the blow-out has been driven by the ability of services and parents to make claims which are completely uncapped. (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:54): Mr President, I ask a supplementary question: could the minister also advise what measures the government is taking to ensure taxpayers' money is going to those who need it most?
Senator PAYNE (New South Wales—Minister for Human Services) (14:55): I thank Senator Ruston for the supplementary. What we are doing is what any sensible and prudent government would do and that is to increase our active compliance of the JET program, which is part of our broader approach to stronger childcare compliance and stronger program guidelines, because the slipping standards and the lack of action under Labor is what actually caused this problem.

The program is designed to provide child care for parents on income support who are studying or training so they can get a job. It is very important to greater workforce participation, so our increased active compliance checks and monitoring are going to be bolstered by the budget measure for this particular assistance, which is limiting JET claims to 36 hours per week for study activities; introducing a maximum limit of $8 per child per hour childcare claimed under the JET program once the CCB is factored in, which is about a total of $13 per hour per child; and funding stronger proactive compliance activity— (Time expired)

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (14:56): Mr President, I ask a further supplementary question: is the minister aware of how long this problem has existed?

Senator PAYNE (New South Wales—Minister for Human Services) (14:56): That is a very good question. As I mentioned earlier, these sharp practices by a small group of family day-care services and a small group of parents have been occurring for some time now. As I said, the blow-out in 2012-13 was $28 million on this program—that is not an insignificant amount of money in a program of this nature.

The former government were well aware of this issue and they did nothing about it. But that is not surprising; that sort of complete disregard for the appropriate use of taxpayer dollars is typical. As I was saying earlier, this is a program that cannot afford to be abused by dodgy services who want to make an easy buck. It cannot afford to be abused by parents who use more care than they need to to complete their study requirements just because the taxpayers are paying. That is not on. It is for people who, as I described, are on income support looking for a job and for genuine people— (Time expired)

Budget

Senator MOORE (Queensland) (14:57): My question is to the Minister Assisting the Prime Minister for Women, Senator Cash: I refer to the government's failure to produce substantiated data that demonstrates the impact of the 2014 budget on women. Given the lack of data, can the minister confirm ANU modelling that has identified that unemployed single parents who are predominantly women will lose $54 a week as a result of the government's budget?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:57): I thank Senator Moore for her question. In relation to women and the policies that this government has, I can inform the Senate of one thing: this government will deliver on policies for women. Unlike the former government, who, when it came to policies for women, liked to talk but failed to deliver.
Let me give you an example: under the former Howard government, the gender pay gap was 14.9 per cent—it was still too high, I assure you. What did it get to under the former Labor government and, in particular, former Prime Minister Gillard?

**Senator Wong:** Mr President, on a point of order: the question was specifically about ANU modelling as to the budget impact on unemployed single parents. The minister should answer the question.

**The PRESIDENT:** Thank you, Senator Wong. The minister is not yet halfway through her time to answer the question and she is starting to address the question. Minister, I draw your attention to the question.

**Senator Wong interjecting**—

**The PRESIDENT:** Order! Senator Wong. You have made your point of order.

**Senator CASH:** I am assuming that point of order was made to distract us from the fact that Senator Wong was called out of the chamber by a member of the House of Representatives to seek her instructions—

**Senator Moore:** Mr President, I rise on a point of order on direct relevance. I asked a particular question about data and also the impact of the budget on unemployed single parents.

**The PRESIDENT:** I have already addressed the point of order. I have reminded the minister. The minister has one minute and six seconds left to answer the question.

**Senator CASH:** You want to talk about the impact of the budget on unemployed single parents. Let me tell you this. Our budget will do more for unemployed single parents than your budgets ever did. The worst thing that you can do for Australian people, whether they be men, whether they be women, whether they be employed, whether they be unemployed—

**Senator Moore:** Mr President, I rise on a point of order, again on direct relevance. The question referred to the budget and the impact on unemployed single parents and whether the minister can confirm they will lose up to $54 a week under their budget, not ours.

**The PRESIDENT:** The minister was directly relevant. She was answering the question. Minister, you have 45 seconds left to answer the question.

**Senator CASH:** On the impact on unemployed people, whether they be men or women, when you are paying $1 billion a month in interest, let me tell you, that has an economic impact. When you refuse to get rid of the carbon tax that has a direct economic impact on Australian families of $550 per week, when you fail to include superannuation on your Paid Parental Leave policy, that has a direct—

**Senator Wong:** Mr President, I rise on a point of order. Loath as we are to interrupt the rant, the minister was asked about ANU modelling which identified that unemployed single parents, predominantly woman, would lose $54 a week as a result of the government’s budget. That was the question. It is a serious question and it deserves a response. The standing orders do say: directly relevant.

**The PRESIDENT:** Minister, you have 19 seconds left to answer the question. I remind you of the question.

**Senator CASH:** I am talking about budget impacts on women and, in particular, single parents. As I was saying, when you fail to include superannuation in your Paid Parental Leave
policy, that is hardly delivering for women in this country. When you have a gender pay gap under a former Prime Minister— *(Time expired)*

**Senator MOORE** (Queensland) (15:02): Mr President, I ask a supplementary question. The minister has actually mentioned part of my question, on superannuation. I refer to the government's decision to abolish the low-income superannuation contribution, which we know assists 2.1 million women. Given that women currently retire with half the superannuation of men, won't abolishing the LISC further exacerbate the gender superannuation gap and leave women more vulnerable in their retirement?

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:03): You are talking about the gender pay gap. Let me tell you this. Let me tell what a fact is under your government. Despite your rhetoric, despite the questions which you come in and put to this side of the chamber, under your government, under Prime Minister Gillard, the gender pay gap in this country reached an all-time high of 17.6—

**Senator Moore**: Mr President, I rise on a point of order on direct relevance. The question referred to the superannuation gap and vulnerability in retirement. It would be useful if that would be actually answered in the process.

**The PRESIDENT**: The minister was only one-third into her answer. I draw the minister's attention to the question.

**Senator CASH**: You want to talk about superannuation. Let me tell you about superannuation. You failed to include it in your Paid Parental Leave scheme. There you go. There is delivering on superannuation. You want to talk about the low-income superannuation guarantee, which you have asked before. You clearly did not hear my answer. That was based, Senator Cormann, on the promise of the revenue raised from the mining tax. How much did they promise? Billions upon billions. How much was actually raised? Next to nothing. Those on the other side can come in here and they can make all the claims they like. But I can tell you: the facts will stand up every single time. *(Time expired)*

**Senator MOORE** (Queensland) (15:05): Mr President, I ask a further supplementary question. I assure the minister I am having no difficulty in hearing her answer. It has been proven that women are harder hit by debt and take longer to pay off interest charges, often due to their family responsibilities, which impacts on their access to education and career opportunities. Given this evidence, can the minister further confirm that women are likely to be more disproportionately impacted by the government's extreme higher education changes?

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:05): I have to say: it is all about choice, it is all about diversity and it is all about everything that Senator Payne has been saying in answer to the questions that she has been asked this week by those on the other side. We cannot help it if you do not like the answers that we give. In relation to women and choices, let me tell you what this government is doing. It has had a Productivity Commission review into child care, because we understand that women are often unable to make choices because of the lack of proper child care in this country—unlike those on the other side, who promised the world in relation to child care and failed to deliver on anything. It is a little bit like, as Senator Cormann said, they had the pub with no beer—they had the mining tax with
no money. Those on the other side, when it comes to women in this country, are all talk. But the 17.6 per cent gender pay gap under their government, the failure to include superannuation in a PPL scheme, says it all. (Time expired)

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Future of Financial Advice

Senator O’NEILL (New South Wales) (15:07): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator O’Neill today relating to the regulation of financial advice services.

Why this is so important to Australians right now is that—and this is indirectly related to the question that was just asked of Senator Cash—we have a superannuation fund allocation. Australians have that now because Labor established superannuation for all Australians. And it is because of that growing amount of funds that there is an industry that has grown up on the back of it. There are about 11 million workers in Australia and about four million pensioners. That is 15 million people with funds now, because of the vision of Labor; people with funds in their superannuation—funds that they want to make good decisions about, and so go and seek financial advice on.

It is on the back of the growth of that industry that we have seen those opposite play to their bedfellows at the top end of town and take away the rights of ordinary Australians to have access to quality and professional advice. We have seen this government doing deals to get its Future of Financial Advice reform through this place—trying to do it as quietly as possible. But we have news for them. There are 15 million Australians who are interested in this. They are watching. They are listening. And they are disgusted. They are absolutely disgusted, and none more than the seniors, who will not be ignored.

You can try to avoid the scrutiny of the parliament by coming in here and giving the most lacking answers, as we have seen here today, and you can try to avoid the scrutiny of this opposition, but we will fight for ordinary Australians. We will make sure that the concerns that have been raised right across this country this week, about the shameful deal that has been done in limiting the scope of openness and transparency with regard to Future of Financial Advice, are heard. We will continue to fight to make sure that that transparency becomes a reality for Australians, because whatever was achieved here yesterday with that dirty deal is not good enough for Australians, and we will not let it rest.

Question time is when the government and ministers should be accountable to the people of Australia, but we see, day after day, with the answers from Minister Cormann, a mockery of this parliamentary process. What we see I think is very well articulated in The Australian Financial Review of 15 July with this comment from Phil Coorey, who started his article on the FoFA backflip by saying:

Clive Palmer has attracted an avalanche of criticism from seniors groups after he cut a deal with the federal government to save its changes to water down Labor’s Future of Financial Advice laws.

… … …

Seniors groups, which were not consulted about the last-minute deal, said the conditions were a nonsense and would do nothing to replace the safeguards removed by the Abbott government.
Seniors Australia is not the most out-there, radical organisation that I have ever come across, and I was pleased to meet with Michael O'Neill recently in one of his visits to this place. He has made himself available to both those in the government and those in the opposition—and, no doubt, to those on the crossbenches—to put articulately the case for why we need proper FoFA legislation and proper support for older Australians and those who are seeking financial advice. In the article, Michael O'Neill, the Seniors Australia chief executive, is quoted as calling the extra conditions a nonsense, and as saying:

All they are is part of a grubby deal … They have treated older Australians with contempt.

And he is right. The minister would not admit that today, but Michael O'Neill is absolutely right. And he is supported in this by Ian Yates, the chief executive of the Council of the Ageing Australia, who, we read in the article:

… said the conditions did nothing to replace the protections removed by the government, "in particular the catch-all best interest protections and the banning of conflicted remunerations".

Let us be clear about what we are talking about, with the best interest test. Australians have this money, these nest eggs that they have acquired, through Labor's legislation and push for superannuation. It is money that they take off to talk to a financial adviser about. Most Australians would go to a financial adviser and expose their entire financial situation, in a relationship that they would expect would be trusting. Just as you would if you were to go to a doctor or a lawyer, you would expect them to act in your best interests. That is not the case. And what we have seen is commissions paid to financial advisers—trailing commissions going on and on, ad infinitum—where Australians have not been given advice that is in their interests but rather have been given advice that is in the interests of the financial adviser. And, after what happened here yesterday, they are no safer. This is explained quite articulately by Peter Martin—(Time expired)

Senator FIERRAVANTI-WELLS (New South Wales—Parliamentary Secretary to the Minister for Social Services) (15:12): I rise to respond to some of the comments that have been made by Senator O'Neill. Can I just underline that the Senate's vote in support of the government's improvements to our financial advice laws is good news for consumers and for small business financial advisers. The most tangible change is that investors will not have to re-sign their contracts with their advisers on a regular basis. Can I just underline that these changes—contrary to the scaremongering that those opposite are trying to peddle—have been assessed by the Office of Best Practice Regulation to reduce red tape costs by $190 million a year. Other changes are more about enhancing competition and certainty in the market, and will deliver benefits for investors over time.

Let me just summarise. The Senate has voted, in my view, for more affordable, high-quality financial advice by removing unnecessary and costly red tape, but, at the same time, maintaining the all-important consumer protections that matter very much to consumers. Let me stress that, consistent with our commitments before the last federal election, the statutory requirement for financial advisers to act in the best interests of their clients remains in place, as does the ban on conflicted remuneration.

It does not matter, Senator O'Neill; you can peddle as much as you like of your misinformation on this point. It remains that that is not the situation. And can I just stress again that the Senate voted for changes that are more affordable and maintain the important consumer protections that matters so much. The statutory requirement for financial advisers to
act in the best interests of their clients remains in place, as does the ban on conflicted remuneration.

The government appreciates the constructive approach that has been taken by crossbench senators in discussions about our financial advice laws. Our goal remains to ensure that we have a robust but efficient financial services regulatory system which is competitively neutral so that people saving for their retirement or managing financial risks through their life can access high-quality advice they can trust and which is also affordable.

Could I just put this into context. Labor's changes to our financial advice laws—so-called FoFA changes—went too far and we believe that they imposed unnecessary and costly red tape. They unnecessarily pushed up the cost of advice for investors and reduced competition, meaning that there was less choice for consumers. Changes like forcing consumers to re-sign contracts with their financial advisers on a regular basis have made Australia the world champions in costly and unnecessary financial services red tape. If Labor's FoFA changes had remained in place, without variation, it would have put access to high-quality advice beyond reach for too many Australians who need it. We want people across Australia who are saving for their retirement, managing their retirement or managing financial risks and opportunities throughout their lives to have affordable access to high-quality advice that they can trust. For this we need appropriate levels of consumer protection and regulations and an ongoing commitment from all providers in the financial services industry to continue to lift professional, ethical and educational standards.

We announced our policy to improve Labor's FoFA laws. As the minister said in question time, our position has been clear for over 3½ years. We have been informed by findings of the coalition members of the Parliamentary Joint on Corporations and Financial Services inquiry into Labor's FoFA laws in 2012. I believe our changes provide the right balance for consumers.

Senator GALLACHER (South Australia) (15:17): I rise to also take note of the answer given by Senator Cormann to Senator O'Neill's question. I think there is a lot of political argy-bargy, red tape, 'make it easier' and 'make it cheaper'. But I wanted to address a couple of things first. It has been made very, very clear in Senate estimates that ASIC has identified a systemic problem in financial planning. Up to 20 per cent of planners have given conflicted and potentially illegal advice as a result of their shadow shopping exercises. We also know that a great proportion of the superannuation industry at the moment—the exponentially growing sector of self-managed super funds—is regulated by the ATO. We also know that the finance minister and Assistant Treasurer has made cuts to the ATO. In this area of alleged budget emergency, there have been over 1,000 jobs cut at the ATO. In questioning at Senate estimates about what impact that would have on regulation of superannuation, particularly self-managed funds, it was very, very clear that there are not enough people to do it.

The Assistant Treasurer and finance minister has cut 1,000 jobs out of the Public Service when they actually generate $6 of income in an area of budget emergency—totally irrational stuff. Can the industry self-regulate? Clearly not, because the economics committee found in its inquiry that the Commonwealth Bank did not deal honestly with the regulator, ASIC. ASIC is on the record as saying, 'The Commonwealth Bank did not deal honestly with us.' Therefore, many thousands of people—which, if the media is correct, include the Treasurer's
mother and the parents of another member of the House of Representatives—have lost substantial funds under the regulatory system as it currently stands. To classify all of that as red tape—that is a factual situation. I am not making a political argument here. I am repeating facts that have been presented to the Senate in estimates and facts which have come out of a very substantial inquiry into the financial sector. To have it all blown up as 'it is all red tape' and saying that we are the world champions of red tape—I am not sure that the Treasurer's mother or the parents of the honourable member in the other House would accept that as an argument. We really do not think there is a huge impost on people to have a best-interest duty, requiring advisors to get their clients to opt in to receive ongoing service every two years. We do not think that is red-tape world championship material or that it is all that onerous. An annual disclosure—statements to be sent to clients annually disclosing fees and details of services performed—sounds like common sense. And a ban on conflicted remuneration.

It has been stated in this chamber by Senator Cormann and others that they are not lifting that. But we believe there will be a partial lifting of the ban on conflicted remuneration. It will be opened up. The definition is, I think, ‘personal advice and not general advice’. So there is a sleight of hand there which will allow those experts in this field to take advantage of conflicted remuneration. I think that most workers will not get too many financial plans in their lives. The stat that is thrown out here is that only one in five get a financial plan. If you are on award wages and you are getting the superannuation guarantee, you do not necessarily need a financial planner to tell you to pay your house off and keep going in super. But that one-off opportunity when people come close to retirement, they have got a nest egg, they need to get their affairs in order, they should be assured that they are going to a financial planner who has got fair dinkum and good, solid regulations applying to them. The opportunity is for those people to take some conflicted remuneration and steer people the wrong way. If we look backwards, there is an evidence trail that people have been given wrong, conflicted and bad advice, and it has cost them very dearly. This chamber should not have supported—unfortunately, it did yesterday—an avenue for that to be exploited in the future. (Time expired)

Senator MCKENZIE (Victoria) (15:22): Senator Gallacher sits down with his ringing requirement for good regulation. At the end of the day, Senator Gallacher, older Australians need to actually be able to afford it. They need to be able to access advice that will assist them in to their retirement, advice that is affordable, accurate and based in sound practice. Going to Senator O'Neill's question, she asked the minister how the change that went through the Senate last night is meeting another election commitment from this government and what the cost is going to be for small business. I welcome the Labor Party's newfound concern about additional costs to small business. I urge them to get on board to repeal the carbon tax and the $11 million a day impost to the whole economy that their bit of regulatory burden gave our economy. But I do digress from the question in front of us.

Senator O'Neill is using as the basis for her spurious question a report from Money Management on 14 July, 'Treasury disowns key FoFA research'. She has actually based her questions on rubbery figures. In fact, the ABC Fact Check also saw that these issues continually raised by the opposition on the cost to small business are based on false figures. The article states:
The Federal Treasury has denied it has endorsed the validity of research conducted by Rice Warner on behalf of Industry Super Australia …

I believe that stands at the heart of Senator O'Neill's questions. The measures that we did pass do not go in any way to endangering older Australians being able to make sound financial decisions about their retirement. Indeed, I have been lobbied and contacted by small businesses right throughout my electorate who are running financial advisory services. They have an ongoing relationship with their clients and deliver value over and over again. They do not want to see a reduction in consumer protections for the return of commissions on superannuation investments.

There are three issues I want to raise. Firstly, on the issue of commissions. We hear from the opposition that the amendments do not allow commissions to financial advisers, investment or superannuation products. I do not think that older Australians should actually be paying for a bank teller to open a term deposit and be required to be paying for these things. Financial advisers do not provide general advice. They provide personal archive which requires that they fully understand the client's situation and objective before making any recommendation. In this scenario, commissions are still banned under the amendments.

Best interest duty remains under the amendments. The amendments seek to modify the test and the client knows what to expect of their adviser, that the client actually has increased financial literacy—appropriate checks and measures. Another Storm collapse will be unlikely. There have been claims throughout the media, spurned on by the opposition, that we would be subject to the sorts of issues surrounding the Storm collapse. That is simply not the fact. We have promised to do what we said we would do. We removed the requirement for an investor to keep re-signing contracts with their adviser on a regular basis. We have simplified and streamlined the additional annual fee disclosure requirements. We have improved the operation of the best interest duty and we have provided certainty around the provision and availability of scaled advice. Consistent with our comprehensive statement of 20 June 2014, we are going to provide clarity and certainty for the financial advice industry and investors. The government's changes have been implemented through the regulations that we have been able to get through the Senate.

I point the opposition to ABC Fact Check, which described assertions by Chris Bowen that the government was bringing back commissions or conflicted remuneration for financial advisers as inaccurate and scaremongering. The ABC Fact Check website says that the opposition and the shadow Treasurer are basing their whole arguments on inaccurate information. *(Time expired)*

**Senator DASTYARI** (New South Wales) (15:27): I also rise to take note of Senator Cormann's answers. Less than 24 hours ago in this place, we saw a dirty political deal done to allow this government to force through and maintain their changes to the Future of Financial Advice that Senator Cormann had been so desperate to introduce but had completely failed to sell to Australian consumer groups—a deal to maintain a set of regulations that not one single consumer advocacy group in this country remotely supported. The letter tabled in this place by Senator Cormann yesterday has no effect; it does not change anything. As soon as Phil Coorey's Palmer United press release arrived in letterboxes around Australia, journalists began doing what they should have been doing—that is, working the phones and calling bank compliance officers and financial law experts. By yesterday afternoon, the truth started
coming out and what everyone is reading today: despite the endless, robotic, monotonous, ad nauseam repetition from this government and in particular Senator Cormann, the consumer protections contained in FoFA were not red tape; they were protections designed to make sure that consumers and hardworking Australians were not being ripped off.

Mr Deputy President, through you I say to my friends in the Palmer United Party and my friend Senator Muir, of the Australian Motoring Enthusiast Party, as I said in this chamber yesterday: you have been sold a pup. You have had the wool pulled over your eyes. How can anyone think for a second that the Abbott government is going to give you concessions of any consequence in a deal that was pitched over a bottle of wine and announced in a front-page splash?

As we on this side of the chamber have said again and again, this is a government that cannot be trusted. It cannot be trusted to look after the interests of Australian workers when those interests come in conflict with those of dodgy financial advisers and Liberal Party donors. Why on earth has this government decided to side with the financial interests of a handful of crooks, criminals and con men?

The member for Fairfax gave Phil Coorey of *The Australian Financial Review* a four-point plan. I want to use my remaining time to dissect that plan. Firstly, it requires a legally binding statement. Wink, wink—all that has actually been agreed to here is a bit of paper. That is all—a bit more red tape. Let us be clear. Advisers either comply with the Corporations Act or they do not. The government complains about red tape. All they have done here is make a harebrained addition to the administrative burden of the financial advice industry, without any attempt to change the behaviour of that industry.

Secondly, Mr Palmer has demanded that clients are provided with a fee disclosure statement. That sounds sensible, but it is plainly explicit in Senator Cormann's letter that this is already a requirement. This was a requirement as of July 2013. But it is just a requirement that clients are informed of these fees. It does not ensure that they agree to paying them. Thirdly, a 14-day cooling off period may sound appealing, but, again, Senator Cormann has given the Palmer United Party something that already exists in the Corporations Act. It is there in section 1019B. Finally, the fourth demand of concession given so generously by our friend on the crossbenches is an escape clause allowing investors to switch strategies in the event of underperformance, which, again, we already have. This four-point plan is utterly meaningless. It is not worth the paper it was printed on minutes before it was brought into this place. This letter, this grand bargain, is nothing but a cruel joke, a cruel joke on the backs of hardworking Australians who have seen their savings lost. (*Time expired*)

Question agreed to.

**Schools: Corporal Punishment**

**Senator WRIGHT** (South Australia) (15:33): I move:

That the Senate take note of the answer given by the Minister for Human Services (Senator Payne) to a question without notice asked by Senator Wright today relating to comments made by the co-chair of the Review of the Australian Curriculum (Dr Donnelly).

The Australian Greens have always said that Dr Donnelly's radical views have made him completely inappropriate to be reviewing what Australian kids will be taught in modern Australia. Everyone is entitled to their views, but it does not mean you are entitled to be
prosecuting those particular views when you are in a position of responsibility and authority and overseeing a curriculum which will be rolled out to children across Australia.

Dr Kevin Donnelly was hand-picked by Education Minister Pyne to oversee the review of the Australian curriculum. His lack of independence; his singular and intemperate views on, for instance, the role of 'politically correct' teaching of multiculturalism in the violence at the riots at Cronulla; his disparaging comments about the teaching of sex education and the way that students with same-sex attraction are dealt with in schools and the fact that sex education might acknowledge the humanity and equality of same-sex attracted students; and his suggestion that the current Australian curriculum, compiled after years of work and consultation from experts across Australia, can be described as left-wing, Marxist and 'politically correct' were all on the record before his appointment and pointed to what a completely inappropriate person he is to be independently and dispassionately overseeing the Australian curriculum. That is why the Australian Senate, in February, agreed to call for Dr Donnelly and his co-reviewer, Mr Ken Wiltshire, to be replaced by independent experts, as has been the practice previously in these kinds of appointments.

Now we have Dr Donnelly reflecting, somewhat fondly, on the very effective role of corporal punishment when he was at school. I imagine that he was at school in the years when I was at school, in the 1960s and perhaps the 1970s. In his comments yesterday, he endorsed the use of corporal punishment if a school community is in favour of it and it is done properly—whatever that means. One wonders if in fact that might mean: so that you do not see the bruises. These comments belong to another century. They are so outdated that they are actually radical. Firstly, I think we need to make it very clear that it is absolutely not okay to assault children in Australian schools. Thank goodness we have moved beyond those values and those ideas. Secondly, there is no evidence that threatening or hurting children will actually work to make them behave better.

As much as Minister Pyne may want to distance himself as far as possible from Dr Donnelly's comments, the fact is that the government appointed this man. They carefully hand-picked him for a prominent review and thus have given him legitimacy and an opportunity to broadcast his repugnant views and shape what children will be taught across Australia. They have claimed he is an education expert fit to review what our children learn. They have looked for his opinions on how schools should teach. They cannot make the excuse that they do not accept his views on school discipline.

The answers that the Senate has received today from the minister representing the Minister for Education are clearly inadequate. This government has given Dr Donnelly his status, his credibility. They should remove him from his position because there is no place for violence in our schools. Every Australian child has a right to be safe at school. Indeed, as someone commented to me today, any adult in Australia who advocates or endorses violence against children is not only not fit to hold their job but not fit to oversee a review of education practice and the curriculum. Appointing Dr Donnelly shows a serious lack of judgement on the part of Minister Pyne. Right from the start it was clear that it was a partisan ideological appointment, but it is now very clear just what an inappropriate appointment it was. Minister Pyne should take responsibility for this mistake and end Dr Donnelly's contract immediately.

Question agreed to.
PERSONAL EXPLANATIONS

Senator McLUCAS (Queensland) (15:38): I seek leave to make a brief personal explanation as I claim to have been misrepresented.

Leave granted.

Senator McLUCAS: Over the past month the member for Leichhardt and I have been having a debate in the pages of the *Torres News*, the newspaper of the Torres Strait in Far North Queensland. Two politicians having a debate in a local newspaper is unremarkable, but I am taking the unusual step of making a personal explanation because of the member for Leichhardt's offensive and intentionally inaccurate language. My initial concerns highlighted the lack of inclusion of a Torres Strait Islander on the government's Northern Australia Advisory Committee. This resulted in a series of nasty personal attacks on me and my work as a senator for Queensland.

Mr Entsch wrote a letter to the editor of the *Torres News* which was published in the 7 to 13 July edition. He questioned my interest in the issue of tuberculosis in the Torres Strait and in Papua New Guinea, asserting that I had not been engaged. But he then stooped to this horrid and offensive statement:

She must therefore accept some responsibility for the death of at least one Australia citizen from this terrible disease.

In effect, Mr Entsch is publically blaming me for the death of a person from tuberculosis. This claim is offensive, unwarranted and wrong. The death of a woman from Saibai Island in April 2013 was tragic. TB, particularly multidrug-resistant TB, is still a threat to people living in the Torres Strait. It is also far too prevalent in the western provinces of PNG, and has been for decades. In 2012 the World Health Organization undertook a review of the arrangements that had been in place whereby thoracic specialists from Cairns travelled to the outer islands of the Torres Strait to conduct clinics for PNG citizens, who travelled across from the western provinces of PNG. The WHO review found that practices conducted in good faith by our very capable doctors and Queensland Health, with the best intentions, were leading to greater potential for multidrug-resistant TB in the population.

So, sensibly, effort was redirected to building capacity at the Daru Hospital in PNG so that patients are treated in-country, and treated well. AusAID has done a great job of managing these efforts. There is now capability to diagnose TB and multidrug-resistant TB at Daru. There is a purpose-built TB ward with accommodation for patients and for family members who may have travelled with them. There is a better system of managing medications, and a vessel now operates outreach services into the remote villages of the western provinces of PNG.

These are the facts. These actions occurred while Labor was in government, but my purpose is not to make a political point, just to state the facts. The truth is that I have been assisting the people of the Torres Strait and the western provinces of Papua New Guinea on the issue of TB since 2000 when I first raised this issue in the Senate. It is wrong to apportion personal responsibility to a senator or member of parliament fulfilling their role as a representative for any event that occurs, including this tragic death. It is morally wrong as well. But it went further. In his letter, Mr Entsch said:
What was her excuse for ignoring the Star of the Sea nursing home when it was falling down around the ears of residents? The implication is disinterest. For the record, I have visited Star of the Sea on very many occasions from as far back as the early 2000s, asked questions at estimates over many years and worked with the government to receive additional funding when they faced difficulties in 2010. I am happy to have my record on Star of the Sea examined. Finally, Mr Entsch asserted: … and for ignoring the plight of outer island communities as they faced sea water inundation each king tide.

Frankly, Mr Entsch exposes himself as a johnny-come-lately when it comes to climate change impacts in the Torres Strait. I first raised this issue in the Senate in April 2001. I have spoken at least five times in this place about coastal erosion and sea level rises inundating properties on the outer islands of the Torres Strait. The truth is that the Howard government had no mitigation program to protect people and property from climate change impacts. It was our government which initially funded the baseline tidal surveys and then funded $12 million for sea wall construction. My purpose today in this personal explanation is to correct the record. Politics can be a rough game. I do not shy away from a good policy debate, but this time Mr Entsch's words have gone too far. I call on him to withdraw his vile words and return some dignity to the political debate in the Torres Strait media.

NOTICES

Presentation

Senator Seselja to move:
That the time for the presentation of the report of the Community Affairs Legislation Committee on the Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014 be extended to 29 October 2014.

Senator Lazarus to move:
(1) That a select committee, to be known as the Select Committee on Certain Aspects of Queensland Government Administration, be established to inquire into and report on:
(a) the amount of Commonwealth funds allocated or paid to the State of Queensland since 26 March 2012, with particular reference to:
   (i) the purposes for which the funds were appropriated by the Parliament,
   (ii) performance measures in place to enable the State of Queensland to account to the Commonwealth for its expenditure of Commonwealth funds,
   (iii) the proportion of the Queensland State budget derived from Commonwealth funds,
   (iv) whether any Commonwealth funds have been used by the State of Queensland for state government advertising or party political purposes,
   (v) operation of courts and judicial system,
   (vi) separation of powers, and
   (vii) approval process for development of projects for the export of resources or services;
(b) the extent to which Queensland State Government policies and practices are consistent with Australia's obligations under international human rights instruments, with particular reference to:
   (i) the nature of medical (including psychological) assessments conducted on people appointed by the Queensland Cabinet to any government role,
(ii) the administration of prisons, and
(iii) detention without trial;
(c) the desirability of developing national integrity legislation, including by referral of state powers under section 51(xxxvii) of the Constitution, with particular reference to:
   (i) conflict of interest procedures for senior government officials, including ministers, members of parliament and agency heads,
   (ii) the powers, organisation and accountability mechanisms of anti-corruption bodies, and
   (iii) appointment of agency heads and statutory officers;
(d) any related matters; and
(e) any other matter the committee considers relevant.

(2) That the committee presents its final report on or before 31 March 2015.
(3) That the committee consist of 8 senators, 2 to be nominated by the Leader of the Government in the Senate, 3 to be nominated by the Leader of the Opposition in the Senate, 1 to be nominated by the Leader of the Australian Greens, 1 to be nominated by the Leader of the Palmer United Party, and 1 to be nominated by the Australian Motoring Enthusiast Party.
(4) That:
   (a) on the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and minority groups and independent senators, participating members may be appointed to the committee;
   (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.
(5) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.
(6) That the committee elect as chair a member nominated by the Leader of the Opposition in the Senate and, as deputy chair, a member elected by the committee.
(7) That the deputy chair shall act as chair when the chair is absent from a meeting of the committee or the position of chair is temporarily vacant.
(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.
(9) That the quorum of the committee be 3 members.
(10) That the committee and any subcommittee have power to send for and examine any person and any document, to move from place to place (including, but not limited to, major metropolitan and regional centres in Queensland and the committee shall conduct public hearings in Nambour, Ipswich, Mackay, Rockhampton, Kingaroy, Mt Isa, Bundaberg, Toowoomba, Townsville and Cairns) to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representative.
(11) That the committee shall report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.
(12) That the committee has power to appoint subcommittees consisting of 2 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider.

CHAMBER
(13) 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.

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

Senator Siewert to move:
That the following matter be referred to the Community Affairs References Committee for inquiry and report by the second sitting week in February 2015:

Out of home care, including:
(a) drivers of the increase in the number of children placed in out of home care, types of care that are increasing and demographics of the children in care;
(b) the outcomes for children in out of home care (including kinship care, foster care and residential care) versus staying in the home;
(c) current models for out of home care, including kinship care, foster care and residential care;
(d) current cost of Australia’s approach to care and protection;
(e) consistency of approach to out of home care around Australia;
(f) what are the supports available for relative/kinship care, foster care and residential care;
(g) best practice in out of home care in Australia and internationally;
(h) consultation with individuals, families and communities affected by removal of children from the home;
(i) extent of children in out of home care remaining connected to their family of origin; and
(j) best practice solutions for supporting children in vulnerable family situations including early intervention.

Senator Dastyari to move:
That items 1 to 27 inclusive and item 30 of the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 102 and made under the Corporations Act 2001, be disallowed [F2014L00891].

Fourteen sitting days remain, including today, to resolve the motion or the instrument will be deemed to have been disallowed.

Senator Williams to move:
That the Farm Household Support Secretary’s Rule 2014, made under the Farm Household Support Act 2014, be disallowed [F2014L00614].

Fifteen sitting days remain, including today, to resolve the motion or the instrument will be deemed to have been disallowed.

Senator Ludlam to move:
That the following bill be introduced: A Bill for an Act to amend the law relating to defence to provide for parliamentary approval of overseas service by members of the Defence Force, and for related purposes. Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2014.

Senator Xenophon to move:
That there be laid on the table by the Minister for Defence, no later than 4 pm on Friday, 18 July 2014, a document providing the following information:
(a) the name of the successful tenderer for Australian Defence Force boots, Tender DMOLSD/RFT0129/2012; and

(b) the price differential of the winning tenderer compared to that of the closest Australian tenderer as per one of the following ranges:
   (i) less than 10 per cent,
   (ii) between 10 per cent and 20 per cent,
   (iii) between 20 per cent and 30 per cent,
   (iv) between 30 per cent and 40 per cent, and
   (v) 50 per cent and over.

Senator Xenophon to move:
That the Senate—
(a) notes that:
   (i) over the past 6 years electricity prices have more than doubled for average households, with the carbon tax being one of the elements of that price increase, and
   (ii) network charges have been responsible for approximately two-thirds of this rise in power prices; and

(b) calls on the Government to urgently review the National Electricity Rules governing the setting of network prices by taking a leadership role in the Council of Australian Governments to ensure a review of the rules by the Australian Energy Market Commission.

Senator Wright to move:
That the Senate—
(a) notes the findings of the Connetica Budget 2014 Policy Briefing Papers which outline:
   (i) the disproportionate burden the 2014-15 budget cuts will place on young people,
   (ii) the potential for an increase in suicides and mental ill-health among young Australians as a result of harsh budget measures, including changes to Newstart, increases to university fees, cutting the Tools for your Trade program, and ending support programs like Youth Connections, and
   (iii) that isolation, dislocation, loneliness, hopelessness and unemployment can increase anxiety, despair and depression;
(b) recognises that public policy has a direct impact on the mental health and wellbeing of the community; and

(c) urges the Government to reverse budget decisions which will adversely affect the mental health of young Australians.

Senator Hanson-Young to move:
That the Senate calls on the Government to cease the current 'on water' screening and transfers of asylum seekers which the United Nations High Commissioner for Refugees has said fall well short of Australia's international obligations and could mean that asylum seekers were returned, or refouled, to persecution.

Senator Waters to move:
(1) That there be laid on the table by the Minister representing the Minister for the Environment, no later than noon on 26 August 2014, any document in relation to the water quality offset imposed on the Abbot Point dredging and dumping approvals in December 2013 that discusses or assesses:
(a) the likely costs of offsetting 150 per cent of fine sediments 'potentially available for resuspension';

(b) the contributions of North Queensland Bulk Ports, Adani or GVK to accomplishing this offset; and

(c) contributions from the Queensland or Federal governments to accomplishing this offset.

(2) Documents previously released publicly pursuant to freedom of information or Senate orders for production of documents need not be included.

Senator Smith to move:

That the Senate notes:

(a) that the 20th International AIDS Conference is being held in Melbourne from 20 July to 25 July 2014, and will be attended by about 12 000 delegates from nearly 200 countries representing science, civil society, politics and the private sector;

(b) that this biennial conference is the premier international gathering for those working in the field of HIV, policy makers and people living with HIV;

(c) Australia’s resolve to work with governments, the business community and civil society across the region to reach the goals that the international community has set—zero new infections, zero AIDS-related deaths and zero discrimination;

(d) that while HIV/AIDS in Australia is lower than in many comparable nations, around 5 million people in our region are living with HIV/AIDS;

(e) that Australia has spent A$1billion combatting HIV/AIDS in our region over the past decade and has committed $200 million over 3 years to support the Global Fund to Fight AIDS, Tuberculosis and Malaria, and that the Global Fund has already invested around $US6.8billion in the Indo-Pacific region delivering HIV treatment to over 700 000 people; and

(f) the Australian Government's release on 7 July 2014 of the 7th National HIV Strategy and its commitment to reverse the increasing trend of new HIV diagnosis and work towards the virtual elimination of HIV transmission by 2020.

Senator Ludlam to move:

That further consideration of the National Security Legislation Amendment Bill (No. 1) 2014 be postponed and made an order of the day for the later of:

(a) 8 September 2014; or

(b) the next day of sitting after the Government complies with Recommendation 41 of the report of the Parliamentary Joint Committee on Intelligence and Security, Report of the inquiry into potential reforms of Australia’s National Security Legislation, at least, by seeking the views of the Independent National Security Legislation Monitor and the Inspector-General of Intelligence and Security on the bill, and tabling a copy of those views in the Senate.

Senators Siewert and Peris to move:

That the Senate—

(a) notes:

(i) the launch of the Roadmap to Close the Gap for Vision by the University of Melbourne released in July 2014,

(ii) that Aboriginal adults are 6 times more likely to become blind than non-Aboriginal Australians, and

(iii) that 94 per cent of vision loss in Aboriginal adult Australians is preventable or treatable; and
(b) urges the Federal Government to:
   (i) review the report and provide national leadership on eye health, and
   (ii) address the gap between Aboriginal and non-Aboriginal eye health as a matter of priority.

**Postponement**

**Senator BERNARDI** (South Australia) (15:45): I move:

That general business notices of motion nos 351 and 352 standing in his name for today, relating to the Select Committee on the National Broadband Network and to the proposed establishment of a joint select committee on the National Broadband Network, be postponed till the next day of sitting.

Question agreed to.

**BUSINESS**

**Leave of Absence**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (15:45): by leave—I move:

That leave of absence for personal reasons be granted to Senator Xenophon for today, for personal reasons.

Question agreed to.

**NOTICES**

**Postponement**

The following items of business were postponed:

General business notice of motion no. 354 standing in the name of Senators Rhiannon and Xenophon for today, relating to the National Water Commission, postponed till 17 July 2014.

**BILLS**

**National Security Legislation Amendment Bill (No. 1) 2014**

**First Reading**

**Senator BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:46): I move:

That the following bill be introduced: A Bill for an Act to amend the law relating to national security and intelligence services, and for related purposes.

Question agreed to.

**Senator BRANDIS**: 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 BRANDIS** (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (15:47): I present the explanatory memorandum and I move:

That this bill be now read a second time.

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

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**CHAMBER**
Leave granted.

The speech read as follows—

The Bill contains a package of targeted reforms to modernise and improve the legislative framework governing the activities of the Australian Intelligence Community. It principally amends the Australian Security Intelligence Organisation Act 1979 (ASIO Act), and the Intelligence Services Act 2001 (IS Act).

Intelligence is at the forefront of Australia's national security capability, and our intelligence agencies serve us well in this regard.

It is a testament to their hard work and professionalism—and that of our law enforcement agencies—that four planned terrorist attacks on Australian soil have been disrupted since the enactment of Australia's counter-terrorism legislation in 2002.

In addition, 23 people have been convicted of terrorism offences under Australian law. Most prosecutions have made significant use of intelligence information.

However, it is imperative that the statutory framework governing the operations of Australia's intelligence agencies keeps pace with the contemporary, evolving security environment.

If our agencies are to remain effective, they must be supported by legislation that allows them to respond rapidly to emerging security threats, both global and domestic.

Among these are international activities of security concern such as transnational terrorism. This includes the involvement of terrorist organisations in civil conflicts or insurgencies, such as in Syria and Iraq.

As this Parliament is aware, the activities in Syria and Iraq have led to an increase in individuals travelling overseas to participate in hostilities. Among them are, regrettably, a number of Australians, including some who have fought or trained with terrorist organisations.

On the most recent information, around 60 Australians are participating in the conflict zones in Syria and Iraq. A total of 150 Australians, both onshore and offshore, are involved in the conflict, from engagement in fighting to providing support such as funding or facilitation.

The Attorney-General has this week returned from a visit to the UK, where discussions highlighted that the primary national security concern of common interest is the threat posed by returning foreign fighters. This is the most significant risk to Australia's domestic security that we have faced in many years.

There is a risk that such participants will become further radicalised. They may return to Australia with an increased capability and commitment to pursue violent acts in the community.

The threat of a terrorist attack on Australian soil is real and undiminished. The threat of 'home grown' terrorism is enduring.

In addition, rapid developments in information and communications technology, particularly in the online environment, have led to its increased use in activities of security concern.

Terrorist groups and individuals are becoming sophisticated in their use of technology to organise themselves and evade detection.

Espionage also remains a security threat. Recent international high-profile cases are a reminder of the risk presented by so-called 'trusted insiders' in this regard.

It is important that our intelligence agencies are equipped with powers that enable them to function effectively in this environment.

To this end, the Bill contains measures to address practical limitations in the current legislation, which were largely identified by the Parliamentary Joint Committee on Intelligence and Security
The Bill implements the Government's response to Chapter 4 of this report, on Australian Intelligence Community legislation reform. Importantly, this report was bipartisan. We thank our colleagues on that Committee, across all sides of the chamber, for identifying the need to modernise the legislation governing the powers of the intelligence agencies—the report was undertaken on the principles of security and accountability, not politics.

Consistent with the bipartisan nature of the report, the Government supports, in full or in part, 21 of the Committee's 22 recommendations.

The only recommendation not being implemented, recommendation 25, was a suggested extension of ASIO's warrant based powers, which is considered unnecessary.

The Bill forms part of our commitment to respond to the recommendations of several recent reviews of national security and counter-terrorism legislation.

Outline of measures in the Bill

Against this background, the Bill enhances the capability of our intelligence agencies in seven key areas.

(1) Modernising ASIO's statutory employment framework

First, the Bill contains amendments to modernise the employment provisions in Part Five of the ASIO Act to better align them with contemporary organisational needs, and Commonwealth public sector employment practices, including inter-agency mobility.

Modernisation of these provisions is necessary. They have not been updated significantly since their enactment some 30 years ago.

The Bill also implements consistent terminology to describe persons who are in an employment relationship with the Organisation, or otherwise affiliated with it.

(2) Modernising and streamlining ASIO's warrant-based intelligence collection powers

The second key area of reform is to modernise and streamline ASIO's warrant-based powers, in line with the majority of the PJCIS recommendations.

Division Two of Part Three of the ASIO Act enables the issuing of warrants authorising the Organisation to exercise powers of search, to access computers, to use surveillance devices, and to inspect postal or delivery service articles.

The proposed amendments will address a number of practical limitations. In particular, the Bill will ensure that the warrants regime regulating ASIO's intelligence-collection and related powers keeps pace with technological developments, particularly the use of online communications by persons of security interest. As such, the Bill will assist in managing the risk presented by Australians who are participating in, or supporting participants in, foreign conflicts (including those conflicts in which terrorist organisations are active).

Targeted extensions of powers and streamlined issuing processes

A key improvement is the establishment of a 'multiple powers warrant' scheme, which will enable ASIO to request a single warrant authorising the exercise of multiple powers in relation to a target.

A single issuing process will ensure the simultaneous availability of all powers sought under different types of warrants, while retaining the statutory thresholds for the issuing of individual types of warrants.
Improved execution and administration of warrants

The Bill further contains technical amendments to improve the execution and administration of warrants. This is largely by clarifying ambiguities in provisions concerning access to third party premises and the use of reasonable force.

Maintaining strong safeguards

ASIO’s warrant-based powers will remain subject to significant safeguards. These include the high thresholds in the statutory criteria for the issuing of warrants and the exercise of powers under them. The requirements for Ministerial-level issuing decisions will continue to apply, and the regime will remain subject to the extensive, independent oversight of the Inspector-General of Intelligence and Security.

(3) Strengthening ASIO’s capability to conduct covert intelligence operations, with appropriate safeguards and oversight

The third key reform is the implementation of a PJCIS recommendation to establish a dedicated statutory framework for ASIO’s covert intelligence-gathering operations.

Much of the intelligence information that is relevant to the security of Australia must necessarily be collected by the Organisation on a covert basis.

However, such covert operations are not without risks. In addition to the potential risks to the safety of participants, covert operations can in some instances require participants to associate with those who may be involved in criminal activity—for instance, the commission of offences against the security of the Commonwealth.

Covert operations may, therefore, expose intelligence personnel or sources to legal liability in the course of their work. For this reason, some significant covert operations do not commence or are ceased.

To address this issue, the Bill implements the recommendation to create a limited immunity for participants in authorised, covert operations.

Just as Part IAB of the Crimes Act provides for a limited immunity for covert law enforcement operations, it is appropriate that corresponding protections are extended to participants in covert intelligence operations.

Consistent with the PJCIS’s recommendation, the limited immunity is subject to rigorous safeguards.

In particular, it is limited to the conduct of a participant in a special intelligence operation that is authorised by the Director-General of Security or a Deputy Director-General. The relevant participant and the specific conduct must be authorised expressly in advance.

The limited immunity does not extend to conduct in the nature of entrapment, serious offences against the person or property, or civil wrongs involving the causation of death, or serious injury, loss or damage.

(4) Clarifying and improving the statutory framework for ASIO’s cooperative and information-sharing activities

The fourth major reform is to clarify the legislative basis for certain cooperative information-sharing activities of ASIO.

The Bill will insert a provision which confirms ASIO’s ability to cooperate, on a voluntary basis, with private sector entities, such as owners and operators of critical infrastructure, in performing its statutory functions.

The Bill also remedies an unintended limitation on ASIO’s ability to refer certain matters to law enforcement agencies for investigation. This concerns the ability of ASIO to refer suspected breaches of the prohibition on unauthorised disclosure of an ASIO official’s identity.
(5) Enhancing the capabilities of Intelligence Services Act agencies

The fifth key reform will implement PJCIS recommendations to enhance the capabilities of agencies under the IS Act, principally by clarifying or strengthening their powers or functions.

Importantly, the Bill enhances the capacity of ASIS to cooperate with ASIO, by improving the statutory arrangements for the collection and sharing of certain security related intelligence.

The Bill will improve the protective security capability of ASIS, which undertakes operations in dangerous locations. These amendments will enable ASIS to provide protective security training—such as training in self-defence—to other persons who are cooperating with it in performing its statutory functions.

(6) Improved protection of intelligence-related information

The sixth key reform concerns measures to modernise and strengthen the secrecy offences in the ASIO Act and the IS Act in relation to the unauthorised communication of intelligence-related information.

These reforms are complementary to the measures recommended by the PJCIS report. They are necessary to address significant gaps in the coverage of these offences in the contemporary security environment.

As recent, high-profile international events demonstrate, in the wrong hands, classified or sensitive information is capable of global dissemination at the click of a button. Unauthorised disclosures on the scale now possible in the online environment can have devastating consequences for a country's international relationships and intelligence capabilities.

Accordingly, the Bill will address a legislative gap by creating new offences applying to unauthorised dealings with an intelligence-related record, including copying, transcription, removal and retention. Currently, no such offences exist. Each new offence will attract a maximum penalty of three years' imprisonment.

In addition, the Bill introduces new maximum penalties of 10 years' imprisonment for existing offences involving unauthorised communication of intelligence-related information, which at two years' imprisonment are disproportionately low. The higher maximum penalties better reflect the gravity of such wrongdoing by persons to whom this information is entrusted.

These changes, combined with the existing espionage offence punishable by a maximum of 25 years' imprisonment, will create a three tier structure of unauthorised dealing offences that jeopardise the security of intelligence-related information.

(7) Renaming of Defence agencies to better reflect their roles

The seventh and final key reform is to formally amend the names of DIGO and DSD to the Australian Geospatial-Intelligence Organisation and the Australian Signals Directorate respectively. While these agencies have been known by their updated names for some time, the Bill will place this on a statutory footing and better reflect the roles that they play in protecting Australia's national security.

Concluding remarks

This Bill is a significant contribution towards ensuring the future capability of Australia's intelligence agencies.

More broadly, this Bill is just the first step in the Government's commitment to maintaining and, where necessary, improving Australia's already strong national security laws. The Government is undertaking a comprehensive review of these laws, which will involve responding to recent reviews and proactively addressing any gaps to ensure our agencies can respond effectively to emerging security threats.
The Government's number one priority is to keep Australians safe. We are committed to working with Parliament, the private sector and international partners to protect Australians and our interests from those who would do us harm.

The PRESIDENT: In accordance with standing order 111, further consideration of this bill is now adjourned to 26 August 2014.

Guardian for Unaccompanied Children Bill 2014

First Reading

Senator HANSON-YOUNG (South Australia) (15:47): I move:

That the following bill be introduced:

Question agreed to.

Senator HANSON-YOUNG: 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) (15:48): I present the explanatory memorandum and I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

This Bill establishes an independent office of the Guardian for Unaccompanied Non-Citizen Children to provide expert care and advocacy for asylum seeker children who arrive in Australia on their own.

No child belongs in detention. We know that incarcerating children hinders their development and causes them significant mental harm. The adverse effects on children of detention have been well documented by medical experts. We know that for refugee children who are here without parental or family support there is all the more risk of long-term trauma.

At the time of introducing this Bill, there are over 32 unaccompanied children in places of detention in Christmas Island, 24 detained in the Nauru detention camp and over 338 in community detention.

Under current law, the Minister for Immigration has a responsibility to look after unaccompanied children's best interests as their appointed Guardian under the Immigration (Guardianship of Children) Act 1946 as well as a responsibility for deciding whether or not to detain them under the Migration Act 1958.

This Bill is being reintroduced by the Australian Greens as the need for removing the Minister for Immigration as the legal guardian of these children has become urgent. At the time of introducing this Bill, 12 unaccompanied children are missing in the Adelaide suburbs after their friends were taken from their high school by immigration officials and put into immigration detention. The 12 children were so frightened they felt they had no other option but to run away. The children are still missing and community concern for their welfare is at an all-time high.
It is clear that there is a conflict of interest when the immigration Minister of the day has the dual role of guardian and jailer of unaccompanied asylum seeker children. As immigration law expert Professor Mary Crock has powerfully said, the simple and devastating problem for young asylum seekers is that the Minister is both their legal guardian, and their prosecutor, judge and gaoler. This Bill is critical in removing the guardianship of unaccompanied children from the government of the day.

It is not just advocates and experts in Australia who have, for many years, been calling for action to address this conflict of interest. The international community are watching Australia, in relation to this issue as well as the current government's adoption of cruel deterrence polices towards asylum seekers across the board.

In June 2012 Australia appeared before the UN Committee on the Rights of the Child to respond to questions on Australia's commitment to improving the fundamental rights and welfare of its children.

The Committee drew specific attention to the issue of the conflict of interest in guardianship and strongly recommended that the Australian Government expeditiously establish an independent guardianship for unaccompanied immigrant children.

The Australian Human Rights Commission has previously commented that unaccompanied children who are seeking asylum are particularly vulnerable. These children have faced the challenge of making the difficult and dangerous journey to Australia alone, and upon their arrival in Australia they must negotiate the refugee status determination process and the experience of detention without family support.

In passing this Bill into law and establishing the office of the Guardian for Unaccompanied Non-citizen Children, the federal legislature will at last be correcting this much criticised and deeply unsatisfactory failure of Australian law and policy.

This is a crucial reform due to the high stakes of children's full lives, inherent rights and personal wellbeing.

There are also compelling reasons under international law for this Bill to be passed as a matter of urgency.

The Convention on the Rights of the Child (CRC), to which Australia is signatory, requires our government to ensure that unaccompanied children who are seeking asylum should receive the extra help they need to guarantee enjoyment of all rights set out under the CRC and international law.

Australia must provide special protection and assistance to ensure that the best interests of unaccompanied children seeking asylum are a primary consideration at all times.

This Bill sets up a Guardian who will be responsible for ensuring that the best interests of the child are always the paramount consideration. The Guardian will be in a position to advocate that children should not be detained by reason of their immigration status, or, if detained, for the shortest possible period of time. The Guardian will also be mandated to oversee and ensure the provision of legal and other assistance such as care, accommodation, education, language and health support amongst other functions. This is not something that the Minister, who is simultaneously responsible for the detention of the child, can likewise achieve.

This is a reform that cannot wait any longer. The Parliament must act to remove the Minister of the day as the legal guardian of these vulnerable children.

I commend this Bill to the Senate.

**Senator HANSON-YOUNG:** Mr President, I seek leave to speak for less than one minute.

**The PRESIDENT:** Leave is granted for one minute.
Senator HANSON-YOUNG: I want to point out to the chamber why I have introduced this bill today. It is a matter of urgency. There are a number of children who are missing in South Australia as we speak—unaccompanied minors, who are under the guardianship of the federal immigration minister. It is a conflict of interest for this minister to be both their jailer—the person who decides where they are held in detention—and the person who is their legal guardian. This minister has not been able to act in their best interests. We need to resolve this conflict of interest and act on this bill as soon as possible. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

COMMITTEES

Rural and Regional Affairs and Transport References Committee

Reporting Date

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:50): At the request of the Chair of the Rural and Regional Affairs and Transport References Committee, Senator Sterle, I seek leave to amend general business notice of motion No. 349 before seeking to have the motion taken as a formal motion.

Leave granted.

Senator McEWEN: I move the motion as amended:

That the time for the presentation of the report of the Rural and Regional Affairs and Transport References Committee on its inquiry into the implications of the restrictions on the use of Fenthion on Australia's horticultural industry be extended to 31 July 2014.

Question agreed to.

MOTIONS

Falun Gong Practitioners

Senator MADIGAN (Victoria) (15:50): Mr President, I ask that general business notice of motion No. 344, standing in my name for today relating to Falun Gong practitioners be taken as a formal motion.

The PRESIDENT: Is there any objection to this motion being taken as formal? Formality has been denied, Senator Madigan.

Senator MADIGAN: Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator MADIGAN: I acknowledge the policy of the government and the opposition to deny formality to motions that may have foreign affairs implications. However, I wish to put on the record that the practice of forced organ harvesting in countries, including China, should not be ignored under any circumstances. I and the DLP believe that all should have the freedom to practise their religion without fear or favour.

I acknowledge the presence in the gallery of hundreds of Falun Gong practitioners, who have made the trip to Canberra here today. 20 July 1999 is an important date in history and one which must not be forgotten. I look forward to further debate on this matter in the Senate in future.

The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The government has an agreed protocol on complex and contested motions in the Senate including foreign affairs motions. The government believes that such motions can have unintended consequences and should not be resolved without a proper opportunity for debate. This protocol has been confirmed with the opposition by an exchange of letters between Senator Abetz and Senator Wong. The opposition have the same position. Senator Abetz has written in these terms to other Senate party leaders and to other party and independent senators for their information.

Senator MOORE (Queensland) (15:52): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator MOORE: I acknowledge the work done by Senator Madigan in this area and also the fact that we did discuss our position yesterday. I also acknowledge the number of people who have come here with interest in this motion. As we have confirmed and as Senator Fifield has confirmed as well, we have an agreement that issues that are complex, particularly to those to do with foreign affairs matters, need to be taken up in a wider area rather than in a notice of motion and that will continue to be our practice. I would like to acknowledge Senator Madigan's interest.

Senator LUDLAM (Western Australia) (15:53): I seek leave to make a brief statement on behalf of the Greens.

The PRESIDENT: Leave is granted for one minute.

Senator LUDLAM: I would also like to acknowledge Senator Madigan for bringing this motion before the Senate. I would like to acknowledge all those who have joined us in the public gallery and apologise on behalf of the Senate that the major parties do not believe this chamber has the maturity to debate an important motion. It may well be complex but it is extremely important that these issues are aired in the Australian Senate. I would have thought that we could have at least done Senator Madigan the courtesy of a vote and a debate if necessary. Again, I acknowledge Senator Madigan for bringing this matter forward and think that the Australian parliament needs to look at its procedures when these sorts of issues come forward so that we do have the maturity to debate them and put them to a vote if necessary.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (15:54): by leave—I move:

That the Senate—

(a) expresses its concern for the asylum seeker children who are currently missing in South Australia;
(b) notes that the Minister for Immigration and Border Protection is the legal guardian of these unaccompanied minors; and
(c) urges the Government to act in their best interest and ensure their safety.

Question agreed to.
Higher Education

Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:55): At the request of Senator McKenzie, I move:

That the Senate—

(a) congratulates Central Queensland University on its partnership with TAFE [technical and further education] and notes a number of universities have forged partnerships with regional TAFEs to develop:

(i) new courses,
(ii) new regional university centres,
(iii) pathway programs in areas relevant to local regional industry, and
(iv) pathways to higher education; and

(b) recognises that further expansion to higher education access for all students, whether studying at universities, TAFEs or private colleges, will provide a further boost to regional economies by ensuring:

(i) greater student accessibility to higher education,
(ii) a more skilled regional workforce, and
(iii) the opportunity for education institutions to expand and thereby employ more people and invest back into the local community.

Question agreed to.


The PRESIDENT: Leave is granted for one minute.

Senator KIM CARR: The opposition is voting against this motion because it does not actually reflect what is happening within higher education. While some elements of the motion are clearly worthy of support, it does not reflect what is happening particularly in regard to the research community.

The PRESIDENT: The question is that the motion moved by Senator Bushby on behalf of Senator McKenzie be agreed to.

A division having been called and the bells rung—

Senator KIM CARR (Victoria) (16:00): Mr President, I am seeking clarification. I have been advised that the mover of this motion amended it this morning and it is not in the form in which it was circulated yesterday. Can I clarify whether or not that is the case and that the references to the demand-driven system have been removed?

The PRESIDENT: The mover of the motion was Senator Bushby, but it is Senator McKenzie's motion. For the purpose of clarification, Senator McKenzie, would you like to clarify whether or not the correct version has been circulated in the chamber with the correct amendment?

Senator McKENZIE (Victoria) (16:01): The motion was amended last night prior to the adjournment and all the appropriate paperwork has been filled out. So I am assuming that would have been dealt with at cross-party whips.

The PRESIDENT: My understanding is that it has been amended pursuant to standing orders. That was done last night, and it has been amended in the Notice Paper.

Senator MOORE (Queensland) (16:01): Mr President, on that basis, we wish to cancel our request for a division.

CHAMBER
The PRESIDENT: I have not asked the Senate to divide, so there will be no division required. For absolute clarity I will put the question again—that is, that the motion moved by Senator Bushby at the request of Senator McKenzie be agreed to.

Question agreed to.

Wicked Campers

Senator WATERS (Queensland) (16:02): I move:

That the Senate—

(a) notes the litany of sexist, misogynistic, and racist slogans which have been used by Wicked Campers on their hire vans, including:

'In every princess, there's a little slut who wants to try it just once',
'Fat chicks are harder to kidnap',
'Save a whale…harpoon a Jap',
'Women are like banks—once you withdraw you lose interest', and
'A wife: an attachment you screw on the bed to get the housework done'; and

(b) condemns the use of such slogans and calls on Wicked Campers to remove slogans which are sexist, misogynistic, or racist from their vans.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (16:02): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: While the government support the intent of the motion and of course do not condone such statements, we are disappointed by the explicit language in the motion, now acknowledged by the Senate. There is no doubt that the Senate and Australian society do not and will not tolerate such statements. They have no place in modern Australia. I should be clear that we do not condone these statements and we support the motivation behind this motion. However, we do believe that this could have been presented to the Senate differently whilst still making this very important point.

Question agreed to.

COMMITTEES

Scrutiny of Bills Committee

Report

Senator McEwen (South Australia—Opposition Whip in the Senate) (16:03): On behalf of Senator Polley, I present the 9th report of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table the Scrutiny of Bills Alert Digest No. 9 of 2014.

Ordered that the report be printed.

Regulations and Ordinances Committee

Delegated Legislation Monitor

Senator Bushby (Tasmania—Government Whip in the Senate) (16:04): On behalf of the Chair of the Senate Standing Committee on Regulations and Ordinances, Senator Williams, I present the Delegated Legislation Monitor No. 9 of 2014.
Community Affairs Legislation Committee

Report


Ordered that the document be printed.

Rural and Regional Affairs and Transport References Committee

Report

Senator STERLE (Western Australia) (16:05): Pursuant to order, I present the report of the Rural and Regional Affairs and Transport References Committee on the future of beekeeping and pollination service industries in Australia, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator STERLE: I move:

That the Senate take note of the report.

I will not take much of the Senate's time as there is a lot of business on at the moment, but I want to quickly acknowledge the hard work of my fellow committee members—Senator Gallagher, Senator Macdonald, Senator Whish-Wilson, Senator Ruston and Senator Xenophon. If I have missed anyone, I do apologise—there are so many references going on through the committee.

I want to say to the beekeeping industry and the pollination industry out there that we are very, very mindful of the importance of the health of Australia's bee industry not only for honey but also for broader agriculture and horticulture. Three previous inquiries have been held—all House of Representatives inquiries: one in February 2007, one in June 2008 and then one in August 2009. I hope we have given the beekeeping industry and the pollination industry some comfort that we certainly do take their issues seriously. There are no fewer than some 10 recommendations that will be out there for everyone to read and dissect. I thank the submitters and of course the witnesses at those hearings and I wish them all very well. Pleasant reading. No doubt the phone will melt.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (16:07): I rise to speak on the report The future of the beekeeping and pollination service industries in Australia and to support the recommendations in that report. A number of key concerns were raised by the beekeeping industry during our inquiry, which made me realise how important the beekeeping industry is to Australia not just because many people love to eat the wonderful honey products but also because of the pollination services bees provide. There is a very real threat from the Varroa mite, which is endemic in bees in most other places around the world. So far we have managed to keep it out of Australia. It is very important that we continue to maintain our biosecurity measures with respect to our Australian beekeepers because if we had an incursion of the Varroa mite into Australia, were it to take out all of our native bee population we would not have enough bee colonies to enable cross pollination activities.
The industry faces a number of other serious challenges, including the use of agricultural chemicals. Farmers need to understand how very detrimental chemicals can be to kept bee colonies, particularly some of the neonicotinoids used on horticultural products. There is also the issue of spray drift. The chemical industry needs to ensure that chemicals are clearly labelled, so that users understand the potential detrimental effect on bee colonies. Beekeepers require access to huge tracts of land and to a wide variety of native species to ensure quality and consistency of their product. Many of our state governments have locked beekeepers out of national parks, denying them access to that resource, one they desperately need.

Finally, the bee inquiry once again brought up the hoary old chestnut of labelling. We saw some very tragic examples of a lack of truth in labelling. We saw imported honey coming into Australia clearly dishonestly marked as Australia honey by putting pictures of the Australian continent and an outline of the map of Australia on a product which was merely sugar syrup which had been force fed to bees in foreign countries and then imported as Australian honey. Despite the fact that some honey was labelled 'Made in Australia', it was only bottled in Australia.

The bee industry faces many challenges. We can assist with some of those challenges, particularly biosecurity and keeping our clean industry pest and disease free. We need to make sure there is truth in labelling so that our honey producers are not damaged. We also need to understand the huge add-on benefit gained from pollination by our bee populations. It was a fantastic inquiry. I support the recommendations of the report.

Senator WHISH-WILSON (Tasmania) (16:11): I would like to add to Senator Ruston's comments and to Senator Sterle's comments. This was an excellent inquiry. I enjoyed very much meeting beekeepers in other states. The honey industry is very important in Tasmania. My office contacted all the honey producers and beekeepers in the state and sought their feedback and submissions for this inquiry. No doubt in Tasmania there are peculiar circumstances. Each state has points of differentiation on issues for beekeepers. Right across the board the feedback was very strong that we have had a number of inquiries already into the health of the beekeeping industry and it is high time the government acted on the recommendations of this inquiry, which build on recommendations from earlier inquiries. A couple of the witnesses said three strikes and the industry is out. Particular areas are funding from research, cooperation with industry to raise funds particularly concerning agricultural crops and spraying regimes. Senator Ruston talked about access to native forests, which was certainly an issue when we visited Murray Bridge. In Tasmania, access to native forests and deforestation practices have been a major issue. I would like to point out that the honey industry are big supporters of the recent listing of 74,000 hectares of World Heritage forest, which beekeepers will be able to access.

As a winemaker, I thoroughly enjoyed the blind tasting of honey at Murray Bridge. I did not realise honeys were so different and that there is so much differentiation. I think the industry has enormous potential to sell not only the differences in honey from different parts of the country but also the different plant species and forests the bees were working. More research is needed but one issue which became very obvious to the inquiry was the impact of climate change, particularly extreme heat. The industry was very open about climate change. None of them were trying to duck and weave on this issue. Last summer a number of apiaries lost all their bees because of extreme weather. Beekeepers went to great lengths to manage the
risks associated with extreme weather events— not just the health of their apiaries but the impacts of climate change on ecosystems, biodiversity and access to resources. These pressures are making it harder and harder for this industry to survive. Senator Siewert, who has also been involved with the inquiry, would throw her weight behind the recommendations of the report and congratulate the committee for all its hard work.

Senator IAN MACDONALD (Queensland) (16:14): Because of the time constraints this afternoon, I will not keep the chamber long. But I do want to endorse the comments of the chairman and Senator Ruston. I was particularly interested in the Queensland submissions. Curiously, as other speakers have mentioned, in Queensland there are national parks where bees could propagate and do their thing but they are banned from all of the national parks in Queensland, which is a ridiculous situation that really needs to be changed.

Can I just say to all of those people who gave evidence—particularly those in Queensland: we do hear what you are talking about; we do hear your issues; you are not alone. The recommendations made by the committee unanimously are recommendations which I certainly hope the government will pursue.

In concluding, I want to say I was pleased that Dave Elson, an old friend of mine—and interestingly the husband of the former member for Forde, Kay Elson, who for years tried to explain to me different things about the bee industry, particularly its pollination impacts and the essential nature of the industry in relation to so many other agricultural crops—was able to come along and give evidence. I want to assure him and all of his colleagues in Queensland that their message has been heard, and we will try to ensure that the recommendations of the committee are indeed actioned.

Question agreed to.

Education and Employment References Committee

Report

Senator LINES (Western Australia) (16:16): Pursuant to order and at the request of the chair of the Education and Employment References Committee, I present the report on the delivery of quality and affordable early childhood education and care services, and the report on the immediate future of the childcare sector in Australia, together with the Hansard records of proceedings and documents presented to the committee.

Ordered that the reports be printed.

Senator LINES: I move:

That the Senate take note of the report.

I would like to thank the committee and the secretariat for managing these two references which we did together. I also want to thank the sector for presenting us with very good evidence. We received very solid evidence at three or four hearings a couple of months ago about quality childcare in this country. I thank everyone for their participation.

In my remarks today I would really like to focus on the importance of quality in early childhood education and care. That was probably a feature of the submissions we heard from the sector. Even the one or two operators in the sector who find complying with the new national quality frameworks onerous. Generally speaking, the national quality framework is all about quality and was very well received by the sector. The sector was very concerned to
make sure that the reforms that have been put in place and the time frames going forward were absolutely kept in place. A number of concerns were raised about slowing those reforms down.

Quality was high on the agenda; especially the need for young children in early childhood education and care between the ages of newborn up to age six to get the best-quality care possible. We know the academic research is there about brain development, particularly for children from birth to the age of three. That is when the most rapid brain development occurs. For children who are being educated and cared for outside of the home, it is absolutely paramount that there is this complete focus on quality, and that everything we do in education and care services has the wellbeing of children and the advancement of their development front and centre.

It is a bit of a report card really on the Labor government's achievements in early childhood education and care. So it was pleasing to hear that it was such a positive report card. As a former teacher I would say it was an A+. The sector absolutely and overwhelmingly endorsed Labor's national quality reforms. Some of those reforms are about achieving much more acceptable educator-to-child ratios. We have seen that being standardised across the country. We are still going through those reforms as I speak, but they are on track. Most of the reforms are now done, and we have the same standards applying across the country—as we would expect; we do not want different standards of educator-to-child ratios being permitted in different states. That is a real positive.

The early years quality framework which sets out the sorts of learning experiences and challenges that young children should be experiencing in the service was well received and complemented the work that quality centres are already providing. So we got a lot of positive feedback on that. Not only were services complementing the former Labor government's child-centred approach; we also heard from the governing authority, ACECQA, who stressed in their submissions and their verbal evidence that the NQF was designed to realise these education and development outcomes for children—not just children to be supported by parents—and families, and also for Australia's long-term prosperity. We heard that over and over again from academics, service providers and associations. Dr Anne Kennedy, who is the National Secretary of the Australian Community Children's Services, commonly known as ACCS throughout the sector, went further by stating that:

… the COAG agreement … endorsing the national quality framework agenda is the most significant event in the history of education and care services in Australia.

Dr Kennedy then told us:

We are the first federated nation to achieve national reform on this scale. This is a very strong endorsement by ACCS. As someone who, prior to becoming a senator, had a long-term involvement with early childhood, education and care in this country, I would echo those sentiments and views. What we have done in the early childhood education and care space is historic and it is absolutely a positive benefit for children, parents and our long-term economic viability.

It is a little sad—more than sad; it is critical for the current government to continue the reforms that are in the sector and not to be seduced by the minority of voices in the sector who are calling for the national quality reforms to be scaled back. We have seen some attacks
on the child care benefit but we have a reference coming up on that, so I will reserve my comments until later.

The opposition to Labor's reforms was weak and unrepresentative. Those criticisms mainly came from a submission by the Australian Childcare Alliance. They did not quote academic research but compiled their views from feedback from a member's survey, and that survey in and of itself attracted a very low response rate—just eight per cent of their reported membership.

They say they are the major alliance for long day-care services across the country but, even so, whilst their comments were negative, particularly in relation to children under the age of two and the requirement to have teachers in place, their submission only represented six per cent of the total number of long day-care services in Australia. To put that into perspective, there are more than 6,000 long day-care services in Australia, and so for the government to be hoodwinked by an association which at best has comment from just six per cent of the sector is quite erroneous.

The vast bulk of the sector, large providers—in fact, the largest provider in Australia, Goodstart, commended the reforms, and their submission is a worthy one. It is well researched. It relies on academic studies, and Goodstart are in a very strong position, because they have services in every single state and territory across the country, to be making comments about the implementation of the National Quality Framework.

Let's not forget that Goodstart picked up the failed ABC centres, many of which were performing extremely badly. Goodstart have had to put a lot of funds into those services to make them the quality services that they are today. Their submission was an absolute endorsement of quality education and care in Australia and they urged the federal government to keep going with that.

We did hear of services that are struggling—for example, in Western Australia we heard from a rural centre in Merredin, struggling to attract teachers. But that centre also seemed to be unaware of the funding that the Western Australian government has made available through its Royalties for Regions which they could seek. Far be it for me to give a compliment to the Barnett government, but that funding is generous and available to regional centres. We will be talking to that Merredin service about what it needs to do to attract the sort of funding that will support it.

There is clearly a need for government to support regional centres more than it currently does. It is not appropriate to say, 'Just because you are a regional service, you can't compete for the services of a teacher in the way that a government primary school or a private school can' and that we somehow lessen that regulation. That is doing a disservice to children, and we do not want to see that. There is a little more work to be done.

I urge the government not to fold back those reforms that are underway. That is not the view of the sector, and I commend the report to the chamber.

**Senator HANSON-YOUNG** (South Australia) (16:29): I would briefly like to add some comments in relation to the tabling of this report—I understand the reports have been tabled together. This is a really important process for the education committee to consider in relation to affordable child care, quality child care and the accessibility of early childhood and
educational services. It is essential that we start to reform this sector from within but also from the view of the broader Australian community.

We know that childcare and early childhood education services are an essential service for over a million families across the country. We know that families rely on those services so that parents can return to work and juggle those work-life issues.

We also know how crucial quality education, early education and care services are to ensuring that we give our children the best start in life. They are the building blocks of educational development and experience for children. We know that the most crucial years are from zero to five. When we talk about the affordability, accessibility and the equality of child care, those three elements must be linked. It was very clear throughout this inquiry that the quality reforms that have been spearheaded by previous federal governments, together with the states, are crucial. But they are only going to deliver if they are funded properly. What is the point of putting up a reform agenda in the childcare space if we do not see the investment made to ensure that those reforms are sustainable in the future? That is why, here in the Greens, we are very concerned about the cuts in the child care and early childhood space under the current budget.

Hundreds of millions of dollars have been cut from the funding of child care, from delivering services, whether it is the childcare rebate—the latest bill by this government cuts funding from the childcare benefit, making parents have to pay even more for child care—changes and cuts to funding in family day care, or the looming cuts to the kindergarten universal access program. All of these cuts in funding are on top of the fact that these important quality reforms have not been funded properly either by this government or the previous government. For six years I have been saying in this place that, if we want to make sure these reforms work properly, we have to bankroll them. We actually have to put the resources in to ensure that we are not just cost shifting onto families.

Australian mums and dads want their children to get the best quality care they possibly can. But they need to be able to afford it. Families want to be able to ensure that they can get the best quality care, but you have to be able to find a place. Over and over again throughout this inquiry, we continued to hear that parents are struggling to find a place in many areas, particularly in the metro and inner suburban electorates. And then there is the issue of being able to afford rising childcare fees, which are a massive burden. Out in the rural and regional areas, being able to access a service that can deliver the type of flexibility that families need is an issue as well. Ensuring that good quality services are available for children, regardless of their postcode, should be a key indicator for any government, particularly for those of us in this place who are passionate about this issue.

There are some really good recommendations in this report, but they will mean nothing and they will come to nothing until we start realising that investing in early childhood education and care is a worthwhile investment in our children's future. The World Bank have done the research and they know. They say that, for every dollar that a nation-state puts into early childhood education services, there is a $17 return. That is good bang for your buck. But it means being bold and up-front and ensuring that we invest in those services from day one. I look forward to how this place and the government of the day respond to the recommendations outlined in this report. I commend it to the chamber.
Senator McKENZIE (Victoria) (16:33): I would also like to make some brief comments—in the interests of time, given the number of reports being presented today—on the two reports that have been presented by the Senate Education and Employment References Committee. From the coalition’s perspective, access to flexible and affordable child care is essential for every young child and every working family in Australia—throughout regional and urban Australia. We have been very clear that we are committed to ensuring, in particular, women’s participation in the workforce and that the child care underpinning that is appropriate.

We are equally committed to quality child care. For Senator Lines, and sometimes Senator Hanson-Young, to attack the coalition as if somehow we do not care about the quality of education for young Australians is completely spurious. But we do have to ensure that families can access child care that suits the purpose, that means that they can get on with doing their work. Not everybody is a public servant and not everybody works nine to five. I think about young families out on dairy farms where they have the morning milking and the evening milking, and police officers and nurses et cetera who need child care that is outside the hours of long day care.

We are committed to finding a holistic solution to a very modern and complex problem for the 21st century which will underpin productivity gains for our nation going forward. That is why we look forward to the Productivity Commission bringing down its report, for which it has actually gone out and consulted. Rather than continually, in an ad hoc manner, adding and subtracting to an increasingly complex childcare system, we have taken a step back and we are looking forward to receiving the recommendations from the Productivity Commission, which we can then have a think about, combine our philosophical approach to these matters and come up with a policy that will serve Australia going forward into the 21st century.

I want to note some comments made in the House of Representatives by the Assistant Minister for Education, Sussan Ley:

When you consider that childcare fees skyrocketed 53 per cent under Labor and out-of-pocket costs increased by up to 40 per cent for families in Labor’s last four years, it is abundantly clear that the current situation is unsustainable for families and for government, making it critically important that we shape new policy for the next generation.

When Senator Lines comes in and trumpets the ALP report card on child care, I think it is very pertinent to put the facts on the table. 'Don’t let the facts get in the way of a good smear campaign,' seems to be the modus operandi of the opposition at present. I just wanted to get that on the record. A recent Department of Education report confirmed what the minister said—that, under Labor, the average hourly long day care fee went from $5 per hour in September 2007 to $7.65 per hour in September 2013. That is almost $75 extra per week in fees for an average family using long day care, or more than $3,500 extra per year. That rises to more than $130 per week, or $6,300 per year, if you use child care full time for 50 hours per week.

We heard a lot of evidence through both these inquiries that spoke to the regulatory burden of the national quality framework, but, additionally, to its implementation, and that is one thing our government is committed to doing: actually reducing the regulatory burden, not just on child care, and not just in higher education, or, indeed, primary and secondary education, but in early childhood education as well, because we know that childcare providers, education
providers and small businesses would actually rather put that saving—rather than dealing with regulatory red tape and the cost to them of that in doing business—back into the resources that will assist them to professionally develop their staff. We heard some great feedback on the government's initiatives in that regard.

I wanted to briefly touch on a couple of other matters but I know that, in the interests of time—I had a long speech which is now being severely truncated—I cannot. But I do recommend to the chamber that you read the government dissenting report to both the reports handed down today, and that, if you are interested in this area, you get the Productivity Commission's inquiry next week so that we can actually begin having a mature, holistic conversation as a nation about the next steps to ensuring that our early childhood education framework suits 21st century parents and children, and ensures that men and women can participate fully in the workforce and continue the productivity gains that are so necessary.

Question agreed to.

Constitutional Recognition of ATSIP

Report

Senator PERIS (Northern Territory) (16:39): I present the interim report of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples.

Ordered that the report be printed.

Senator PERIS: I move:

That the Senate take note of the report.

On behalf of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, I present to the Senate the committee's report entitled Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples interim report.

It has been a long process leading up to the tabling of this report. But the tabling of the report is really just the start, because the tabling of this report really starts the conversation with all of the Australian people. It starts the process of promoting the recognition of Aboriginal and Torres Strait Islander peoples in the Constitution to all Australian people. And that is my priority: doing what I can to help to get all Australians on board with the journey towards constitutional recognition.

The chair of the committee, Mr Ken Wyatt, and the Shadow Minister for Indigenous Affairs, Shayne Neumann, spoke yesterday in the House of Representatives and outlined the issues discussed within the interim report and how they relate to the original recommendations in the expert panel's report. These are very important issues and crucial to the process.

But I want to focus on what this process is really all about. It is about this nation having a referendum where Australians get to vote on whether to recognise Aboriginal and Torres Strait Islanders in the Constitution. Only eight out of the 44 referendums in Australia have succeeded. On that basis, we are up against it, but we must succeed. I take heart in the fact that one of the eight successful referendums was to give Aboriginal people the right to vote, and I hope that Australians support this next step on the path to reconciliation.
In a referendum, every Australian enrolled to vote gets a vote. And that means that the views of Australia's top constitutional lawyer are just as valid as the view of an Australian who today is not yet aware that this process is even underway, because ultimately they both get one vote each.

The constitutional issues will continue to be discussed by experts, as they should be. But, as we debate the issues, we must not lose sight of the need to bring all Australians along with us on the journey. Ultimately this is an opportunity for all Australians to celebrate 50,000 years of this nation's history, not just the last 226. We need Australians to embrace this. This is a fantastic opportunity for all Australians, and something we should all get behind so that our Constitution reflects Australia's entire history.

I want to compliment and promote the work of RECOGNISE, who are extremely active in promoting constitutional recognition. Just recently, we saw an example of RECOGNISE's work at the Indigenous round of the AFL in May, where there was a big R in the middle of each ground. I suspect that, for most people, in the crowd, or at home watching on the couch, or in the pub, finding out what the R in the middle of the ground was all about was their first exposure to this process, and to starting the conversation. Hopefully this will be the start of a process that leads them into a polling place to vote yes in the not too distant future. RECOGNISE will continue their work over the coming months, as will I as the deputy chair of the committee, and I will be supporting them wherever I can. I encourage everyone to get involved. Sign up as a supporter on the RECOGNISE website, follow them on Facebook, and be part of all the events and activities they are currently undertaking.

The next six months are crucial. The committee will be travelling around Australia talking to people about constitutional recognition. Next week we are in the Kimberley, and I am really looking forward to talking to as many Australians as I can on this issue. In particular, I want to meet people who are not yet aware of the process and the issues, and to encourage them all to get on board. I want to explain to them, and also to this chamber now, why this is such an important and positive step for this nation as a whole.

One of the important aspects of the work of the committee is to take on board the views of the people in the wording of the referendum that we want to take to the Australian people. Another important aspect is promoting the reasons behind the referendum. Some of the changes proposed by the expert panel and the interim report are self-explanatory and obvious. I think everyone would support the removal of section 25, which allows states to ban people from voting on the basis of their race. Obviously this does not happen anywhere in Australia at the moment, but the fact is that that section currently exists in our Constitution, and that simply has to change. That is a simple and an obvious change.

The expert panel has recommended a new section, 116A, to ban racial discrimination in this country. The interim report expands on this. It recommends a subsection (2) that provides that there can be laws for the purpose of overcoming disadvantage, getting rid of the effects of past discrimination, and protecting the culture, languages or heritage of any group. We need the Constitution to be clear. The Constitution of Australia should include a prohibition on racial discrimination.

The expert panel also proposed a section recognising Aboriginal and Torres Strait Islander languages as Australia's first tongues and confirming that English is Australia's national language. There are hundreds of languages currently spoken in Australia. Of course, English
is the most commonly spoken but there should be no restriction on the use of other languages. The committee's report outlines the issues in relation to the expert panel's recommendation. On these issues and all issues raised in the report we now want to hear from all Australians. As I have said, the tabling of this report is really just the start.

I want to thank everyone involved in the process to date: the members of the expert panel, the members and staff of the committee and all the people who have provided advice to the expert panel and the committee.

I want to briefly comment on one thing. In the course of history it will not matter if this change to the Constitution occurs next year or if it occurs in 2016 or 2017. By far the most important aspect is that it succeeds; it cannot fail. But we should not delay. The work that Recognise is doing is creating a momentum. I do not believe that this momentum has peaked yet, but it will also not last forever.

Finally, I do have to point out a concern I have with the path to constitutional recognition. If the government plans to weaken provisions of the Racial Discrimination Act, it will undermine our process. These are plans that Australia's Attorney-General has defended as necessary to protect the rights of bigots. If the amendments currently proposed by the government are to be put before this parliament during the pathway towards recognition then I fear the pathway will be destroyed. I have written to the Prime Minister urging him to abandon his changes to the Racial Discrimination Act. I again urge him to do so, because we need to be doing everything we possibly can to make sure we succeed in amending the Constitution of Australia to recognise Aboriginal and Torres Strait Islander Australians.

As an Aboriginal woman, this issue is incredibly important to me, and it is incredibly important to all Aboriginal and Torres Strait Islander Australians. In my role as an Aboriginal member of this parliament I am honoured to be in a position to advocate for recognition on behalf of all Aboriginal people and the Australian Labor Party. I will continue to do everything I can to ensure that the voices of Aboriginal Australians are heard as this pathway continues. I will also be doing everything I can to encourage all Australians to be a part of this process and to vote 'yes' for constitutional recognition of Aboriginal and Torres Strait Islander Australians. I reiterate that Australia does not lose 226 years of history; it gains 50,000 years of history.

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (16:47): The government welcomes the tabling of the interim report of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples. The government remains committed to pursuing recognition of Aboriginal and Torres Strait Islander peoples in the Constitution. We believe that appropriate constitutional recognition of Aboriginal and Torres Strait Islander peoples can be a unifying moment for the nation. It is our intention to recapture the spirit of the 1967 referendum. The most significant constitutional milestone so far in according proper respect for our nation's first peoples was advanced by the Holt Liberal government.

The path to constitutional recognition starts with widespread parliamentary support, and the joint select committee is to be congratulated for seeking to establish a strong, multipartisan parliamentary consistence on proposals for change. The government recognises that broad support is critical to the success of any referendum. The government will now
carefully study the interim report and looks forward to considering the final report next year. We will take the time that is necessary to ensure that any proposal enjoys the maximum prospects of success at a referendum.

I listened with care to what Senator Peris had to say. Might I say: as we all know, this will only succeed if it has bipartisan support, and it will only succeed if it is immune from other political controversies which should not be introduced into the discussion. If they are to be introduced then the bipartisanship upon which the success of this proposal depends would be lost, and that would be a tragedy.

I thank Senator Peris as deputy chair of the committee. I thank my colleague Mr Ken Wyatt, AM, MP, the member for Hasluck, for his conduct of the affairs of the committee. I think on this occasion we should also acknowledge the work of the inaugural chair of this committee, former Senator Trish Crossin, who is, in all respects, a pioneer in relation to this measure.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:49): It is with pleasure that I stand to speak on the tabling of the interim report of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples. I am also a member of the joint committee and a very active participant. Members in this chamber are probably aware that I was also a very active member of the expert panel and have a great deal of commitment to the recommendations of the expert panel. But I have an enormous commitment to constitutional recognition of our Aboriginal and Torres Strait Islander peoples and believe that this report is a next step in our journey to constitutional recognition.

I am a believer that constitutional recognition of our first peoples is a certainty. It is inevitable. It is the timing that is the point here. I am an advocate for ensuring that we get the question right, but I obviously also want to see it happen sooner rather than later. But that does not mean that I am going to support a rushed process with a question that does not reflect what I believe the community wants to see. That is, the community wants to see a substantive question put and substantive meaningful changes and not a token approach. I do not believe we should underestimate the willingness of the community to engage in this discussion and debate, which is why I am very pleased that we are going to be out, as of Monday, on the consultation process. As Senator Peris said, we will be in Broome, bright-eyed and bushy-tailed on Monday morning, very anxious and keen to hear from the community about its views not only on the interim report but also its broader views. Having participated in the extensive consultation that the expert panel undertook a couple of years ago in developing its report, I for one know that the community has a lot to say on this particular issue and are very keen to participate.

The interim report provides a good basis for us to go and out consult because the community wants to see and hear where the parliament is up to in its consideration of this very important issue. The expert panel report provided—and I am conflicted here, I will acknowledge—what I think are some very good recommendations for the interim panel to take up and progress in what we would prefer was called a multipartisan approach instead of a bipartisan approach (and I am not trying to have a go, Senator Brandis) to reflect the make-up of this parliament and our community. I know Senator Brandis did not mean to slight anyone and I am not meaning to slight him, but I do need to remind this place that we need a
multipartisan approach to constitutional recognition if we are going to achieve a consensus approach to the issue and the questions that will inevitably turn up on a ballot paper.

The interim report makes a number of important points. As Senator Peris points out, there is already fairly strong agreement that section 25 is an outdated section of our Constitution. The committee put the view in the interim report that if we are to seek to change the Constitution, a successful referendum proposal must prevent the Commonwealth from discriminating against Aboriginal and Torres Strait Islander peoples. This is a very important point. I would urge people to read the discussion in the interim report and the conclusions that we have reached.

I would be interested to hear what the community think about our comments on language. That is one of the recommendations of the expert panel. The interim report makes some points about language and whether that should have a separate power and should be incorporated into some of the other wording. I am very anxious to learn what the community feels about that. This report is an important step in our journey towards constitutional recognition. Constitutional recognition is an important step in our journey to a truly reconciled nation.

I also would like to endorse the 'Recognise' campaign. I have participated in that campaign. I have walked in Melbourne. I have walked in the bush. I have walked into Garma. In fact, I have even paddled in the leg in Western Australia for constitutional recognition at the conclusion of the first leg of the journey into Perth. I also walked as part of the next journey, starting from Perth as it headed off. This is a very important opportunity for Australia to continue our journey. I commend this report to the Senate. I urge Australians to read it and participate in the consultation process. I seek leave to continue my remarks.

Leave granted.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (16:55): I too rise to speak on the interim report of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples and, in doing so, recognise that this is just the start of a very important process. As a member of this committee over the last number of months, I would like to acknowledge the outstanding work of the member for Hasluck, Mr Ken Wyatt, in the other place, and also Senator Peris in this place. The committee has had to work its way through a huge amount of information, including the comprehensive work of the expert panel. Even that report had an extraordinary diversity of views and opinions.

There are a number of recommendations on the table and now is the start of a journey to go out and consult with the wider public about what they see as being the most appropriate way to take this issue forward. There is no doubt that any change to the Constitution is an extremely important thing to undertake. The Constitution belongs to all Australians and all Australians should be comfortable with the wording of the Constitution, and any proposals that may go before this place or are part of a referendum that seeks to change the Constitution.

In the short time that I have had the opportunity to participate in this committee there has been a diversity of views. In fact, there is a diversity of people making comment on this. We have had constitutional lawyers, none of whom have yet to land on where this needs to go. Indigenous communities across Australia and the Torres Strait obviously have wide-ranging views and even within political parties there is a huge divergence of views as to how we
should go about making the necessary changes for the recognition of Aboriginal and Torres Strait Islander peoples.

There is a huge level of goodwill and belief that we do need to take this step towards recognition. Through the consultation process that has taken place to date, it has been very interesting to see the level of buy-in from people and the level of support for the process once they become aware of exactly what is involved in the changes that we seek to make. It has been a huge pleasure to have been able to participate in this committee over the previous months. I look forward to the journey that the committee takes and I wish the committee well in achieving the outcome in the best interests of all Australians. I seek leave to continue my remarks.

Leave granted.

DISTINGUISHED VISITORS

The PRESIDENT (16:58): Just before we move to the first speeches, I wish to acknowledge that in the gallery we have the Speaker from the Queensland parliament, Fiona Simpson, and former Senators Ron Boswell and Russell Trood. Senator Boswell, you were here only a few days ago. You cannot stay away! We also have in the gallery former minister Larry Anthony. Also, we have the President of the New South Wales Legislative Council, Don Harwin. Don has been with us all day. He seems like a familiar face now. Welcome.

FIRST SPEECH

The PRESIDENT (16:59): Order! Before I call Senator McGrath, I remind honourable senators that this is his first speech; therefore, I ask that the usual courtesies be extended to him.

Senator McGrath (Queensland) (17:00): Freedom and liberty, 100 years ago this month, were under threat as the gods of war awoke. Armies of empires stretching back before the Middle Ages were slowly moving to Armageddon—a world war with deaths of millions, the end of four royal houses and the beginning of wicked new orders of communist and fascist cruelty. This war ended realms of geography but brought in dominions of political terror imprisoning generations under dictatorship, ending hope, freedom and liberty for many until the collapse of the Soviet Union. Indeed, the war that began in 1914 with the invasion of Belgium was the second 'Hundred Years War', the war against tyranny, continuing from the Armistice, pausing in 1989, and resuming in 2001 in New York. The 'Hundred Years War against Tyranny' continues today on three fronts: first of all Islamist fundamentalism intent on caliphates destroying Western civilisation, especially religious freedom; secondly, democratic governments restricting freedom of speech and association, betraying hundreds of years of liberty; and, finally, leftists delegitimising all views other than their own, especially in media and education.

Freedom and liberty are not abstract concepts. You either have freedom or you are not free. Whether I serve here for 16 days or 16 years, I shall always judge myself on how I have battled against tyranny and fought for the axis of enlightenment—that is, liberty of the individual, a free market, small government and low taxes. I will let others badge and brand and box me, as, in my great broad church that is the Liberal Party, my pew is a moveable feast. I have campaigned against dictator-loving Islamist fundamentalists in the Maldives; Sinn Fein- and PLO-supporting Labour candidates in London; and godless rebranded
communists in Mongolia—not to mention the Queensland branch of the Australian Labor Party!

My life has not been about the pursuit or gain of power but to confiscate power back from government to free people. My story is not special or unique. I come from the great blancmange that is the Australian middle class. Families are modest and shy. They are joiners and doers, workers and strivers, not shirkers. Our homes are not big and flash, and cars often second-hand. The biggest investment is never super, bricks or shares, but education. My mob are farmers, saddlers, soldiers, gardeners, small business owners, nurses, teachers, doctors and, shamefully, the odd lawyer. One side is stridently Labor and unionist, the other cheerfully Liberal National and Tory.

The first McGrath was a convict, rightly punished by a sensible judge and sent down to Australia. Family folklore has it was for stealing a sheep. On my mother's side are the Schneiders and Doughertys. The first to arrive was German, illegitimate, with barely a word of English. He moved to western Queensland in the 1870s. His son, my great-grandfather, patented the Schneider saddle, and his store stood on George Street in Brisbane until the 1970s. Schneiders would become guests of the emperor, caught in the fall of Singapore, on the way to fight the Nazis.

Like many, my journey started young. I worked on my first Liberal campaign in the 1989 Queensland state election. I started the Capitalist Club at Toowoomba State High School a year later. When 17, continuing my quest to become the most popular kid at school, I led the campaign to save the school principal when the new Queensland Labor government engaged in some restructuring. Our school community was the only one to actively campaign for their principal's retention. Our school community was the only one whose principal was eventually made redundant. I learned early on that you can be right in life but still lose in politics.

Politics is not about the pursuit of power as an end in itself. Those who seek power for the sake of power will always fail. Politics is about seeking power though democratic means in order to take power away from the elites, whether bureaucratic or corporate, and return power to the people. I have been lucky in politics. I do not think I am that good at politics but I do learn from my mistakes, personal and political, and I have made a few—some spectacular. And I have learned from some wise mentors as, along my journey, I have been fortunate to work with some erudite people here in Australia and overseas.

I believe there are 11 principles of politics and power that should guide me as I work for Queensland, and all principles were taught to me or learnt from my own mistakes. I start with the greatest ever peacetime leader, Margaret Thatcher. I never met Mrs Thatcher, but I get her. I get that someone from a corner store in a small market town could be so strong to rise so high, not just in making decisions but holding fast to her underlying values—because she had to fight for everything, and she said, 'You might have to fight a battle more than once to win it.'

Likewise, the moral courage of my friend Mohamed Nasheed, former President of the Maldives, taught me the power of forgiveness. A former political prisoner and Amnesty International prisoner of conscience, he forgave those who jailed and tortured him. I fail this principle. As much as I try, I cannot forgive and I will never forget how communist and fascist regimes incarcerated generations through political terror. Che Guevara, Castro and
Chavez are not freedom fighters. They are murderers, common thugs and torturers, destroyers of hope.

I do have a confession to make. While working for the British Tories, I fell in love—and I am big enough to admit it—with a man called Eric: Eric Pickles, a Tory MP, former Conservative Party chairman and now British cabinet minister. He is one of those rotund, Rubenesque, larger-than-life Yorkshiremen, whose method of elucidating his garbled tongue was to shout at me and call me 'Skippy'. Eric, as a consummate MP and grassroots councillor, taught me that all politics is local and timing matters. With local council elections in the UK around spring, Eric would always ensure that the spring bulbs and flowers would be in full glory in the weeks leading up to polling day, to present his council at its best.

Another Tory minister, Francis Maude, whose father, incidentally, was editor of The Sydney Morning Herald, before serving Mrs Thatcher in her cabinet—it wouldn't happen nowadays, would it, Fairfax?—taught to me to pick your fights and parties should never be afraid to change or stand up for a fight.

I have worked on a few campaigns with the greatest campaign duo going, Mark Textor and Lynton Crosby. Their main focus is: always be honest and stand for your beliefs and stick to them as you communicate with voters, as message matters. Likewise, former Northern Territory Chief Minister Shane Stone taught me to be humble and constantly deliver on my promises. 'It is what people hear, not what you say' was drummed into me by the Tory Party when I was a pretty average media adviser—especially by my good friend Gavin Megaw, who is always appalled when I speak to the media as it normally never ends well for me!

James Dillon was an inconsequential Irish politician of the mid-20th century. His inconsequence came about because of his statement of the principle that 'democracy, freedom and liberty must always be defended'. A third-generation Irish Parliamentarian Nationalist, his view was that the Irish Free State should put aside disputes with Britain and support her against the Nazis. In 1942 he was the only Irish MP to do so, and he was expelled by his own party and pilloried by the Irish Free State.

My old boss Boris Johnson, the Mayor of London, one of the great wordsmiths of the modern political age, is living proof that you should not 'dumb down' to voters. The man who twice won the largest direct election in western Europe outside of France—thanks to a bit of Australian help—uses poetry, the classics and an oversized vocabulary to speak to Londoners.

After I was elected I went and saw Campbell Newman and asked him how I could help him and Queensland. Instead of a detailed discussion on taxes, federalism and federal budgets, he just said, 'Be good, and do good.' And finally from Lord Ashcroft: 'I will always trust the people and treat issues seriously but never take myself seriously.' I will use these principles to deliver on a better deal for Queensland—and this starts with the Federation.

The Federation of Australia is slowly creaking towards political death. Successive governments have taken power and decisions from the states. The best government is in a federation where power is split between different levels of government. Taking power from the states and away from local communities must be stopped. To bring about competitive or market federalism between the states, we need to sort out the tax system and bring in taxes that do not punish ambition and productivity or continue to centralise power in Canberra—a low tax structure that is simple, clear and transparent.
Taxes on jobs and productivity, such as the payroll tax and company tax, must be abolished and reduced respectively. To cover the states for the loss of income from payroll tax the GST should be broadened to cover everything—and it should also be increased to 15 per cent. Of course there should be compensation for the less well-off and income tax cuts. Tied grants should be abolished, with states to decide the priorities. A proportion of income taxes should be allocated to each state, with those states that push growth to be doubly rewarded with more jobs and more revenue.

The ying to the yang of low tax is small government—government that trusts people to make their own decisions. In Australia today the growth and centralisation of government at a federal level is a clear and present danger to our Federation and to the individual. We have a federal health department with thousands of staff but they do not manage a single hospital or treat a single patient. The federal education department also has thousands of staff but they do not look after a single school or teach a single student. Bureaucracies have become more bloated, more process driven and more out of touch. The states run the hospitals and schools, so why does the Commonwealth need to be involved? I am calling for the abolition of the federal departments of health and education, with universities also to be run at a state level. Each year, I will be compiling my own red-tape report to keep my government and my party on the Hayek road—away from serfdom and towards lower regulation, lower taxes and smaller government.

As someone who grew up in regional Queensland, I grew up with the ABC. But the ABC has left people like me and my constituents behind. I want to support the ABC. I like the ABC. But while it continues to represent only inner-city leftist views, funded by our taxes, it is in danger of losing its social licence to operate. I am calling for a review of the ABC's charter. And if they fail to make inroads to restore balance, then the ABC should be sold and replaced by a regional and rural broadcasting service. In the meantime, Triple J, because of its demographic dominance and clear ability to stand on its own, should be immediately sold.

In February this year I laid a wreath at the Brisbane Cenotaph to commemorate the fall of Singapore. With only six former prisoners of war of the Japanese left in Queensland, we should always honour and help those who did so much to defend our liberty in this hundred-year war against tyranny. I ask Labor and the minor parties and cross benchers to work with me to bring forward a covenant, based on the British model, between Australia and the Defence Forces and their families. The ongoing commitment of the men and women who have served or are serving in the Defence Force, along with the sacrifices of their families, is worthy of formal recognition by way of a covenant that supports their families.

Like many on this side of the chamber, I am a graduate of the greatest political training school in the country—namely, the Young Liberal Movement and the Australian Liberal Students Federation, both strong voices for freedom of association and liberty of thought. Compulsory student unionism, or SSAF as it is now called, is an attack on the fundamental freedom of association. Students, like anyone, should have the freedom to decide for themselves whether they join a student body or union. I give notice that I will be moving a private member's bill to abolish the SSAF and bring back true voluntary student unionism—and I hope all freedom lovers will join me in supporting the bill.

Likewise, freedom of speech should never be restricted by government, because when speech is regulated in any manner, it is no longer free. People will say hurtful and bigoted and
stupid and dumb things. People will make racist and sexist and homophobic comments. Those views are wrong, but the right to express them is not. If you believe in democracy, you cannot cleanse it of the views you disagree with. The true test of a democratic nation is not how we treat those with whom we agree but how we treat the rights of those with whom we disagree. The best way to deal with those with whom you disagree is not to force them into the dark shadows but to let the sun shine, to let the disinfectant of light and public scrutiny judge those offensive views.

From the dockyards of Kronstat to the editorial desk of The Age, the Left always want to control and brutalise. By restricting freedom of speech, they are building Australian gulags for words and thoughts. The Australian people are a pretty sensible bunch. They always make the right decisions when it comes to elections. They elected everyone in this chamber. Rather than calling in the thought police, I trust them always to make the correct judgement and response.

Each day, when I wake, I give thanks. I know that I am here because, over the years, a lot of people have done a lot to help me. I give thanks to the voters of Queensland—I will be a humble but strong advocate for my home state. I give thanks for being raised with my sister Emma—and I thank her and her husband, Anthony—by parents who while short of money were never short of honesty, goodness or encouragement. I wish a happy birthday to my Nana, the last of her line—a daughter, wife and mother to farmers, and a farmer herself—who turns a sprightly 97 today.

I give thanks for having friends, whether from uni to the Young Liberals to the Marquis of Granby, a great pub in London, here or overseas, who put up with me being grumpy and the worst friend in replying to texts, emails and phone calls and my love for and sometime overindulgence in Bundy rum. I give thanks to all my friends for helping me—especially Rebecca Smith for her support in helping organise today. To Toby, Tess and Rosie and their parents Gavin and Helen: thank you for keeping it real. It's been 10 years since I was best man at their wedding and forgot the rings and the speech!

To Bruce McIver, Gary Spence and the state executive and state council of the LNP: thank you for your support. And to Brad Henderson and all the LNP staff and volunteers at headquarters: thank you for helping me. To Estee and Jamie Briggs, Scott Ryan, Simon Birmingham and Tony Barry: thank you for helping me. And to Wyatt Roy and Joe and Carol Humphries: thank you for taking me to the Palmwoods Pub and twisting my arm to convince me to run for the Senate. I give thanks for the Liberal Party and the Liberal National Party in Queensland and the thousands of party members and supporters who helped in my election.

There are too many members and friends from here and overseas in the gallery this afternoon to thank by name, but thank you all for coming down. I look forward to having some cheerios and a Bundy or three with you later.

I give thanks to the Young LNP in Queensland for being not just roadside warriors, letterbox stuffers and student union victors but true bearers of the flame of liberty and freedom.

I give thanks to those whom I follow. In my own political memory I wear the shoes of Sue Boyce, Santo Santoro, and John Herron, all unique and strong contributors to public life in
Australia, and I hope I live up to their political inheritance. I also acknowledge Ron Boswell and Russell Trood in the gallery.

I thank all my fellow Queensland LNP Senate candidates led by Senator Macdonald, who entered this chamber when I was still in high school and who advised me other day to do as he says but not as he does! Ian, thank you for your support and Senator Canavan for your friendship—and good luck in a few minutes. To Senators Brandis and Mason: thank you for your guidance. And to Senator O'Sullivan: Irish eyes are smiling at the two of us here together. And I would like to acknowledge Amanda Stoker, Theresa Craig and David Goodwin for their candidature during the 2012 and 2013 campaign.

Mr President, I congratulate you on your election and thank you, the Clerk of the Senate, the Usher of the Black Rod and everyone in this building for helping me and my team settle into the Senate.

I started my speech in 1914 and I will conclude in the 1940s over the skies of Nazi occupied France. The Royal Air Force dropped to the French a poem called Liberte by Paul Eluard—a poet not of my politics, I confess. I will end as I close with its final stanzas:

On passionless absence
On naked solitude
On the marches of death
I write your name
On health that's regained
On danger that's past
On hope without memories
I write your name
By the power of the word
I regain my life
I was born to know you
And to name you
LIBERTY

FIRST SPEECH

The PRESIDENT (17:21): Order! Before I call Senator Canavan, I remind honourable senators that this is his first speech; therefore, I ask that the usual courtesies be extended to him.

Senator CANAVAN (Queensland) (17:21): I am honoured to give my first speech in the Senate and I am honoured to have been elected by the Queensland people to represent them. I will do my best to serve their collective interests with courage, integrity and humility. It is a privilege to follow a great friend of mine, Senator McGrath, and I just want to put on record at the start that there are lots of people here tonight, but most of them are here at his calling. They have come here for him, and I say, 'Good on you, James, for being able to get more people to come along to the Senate to see a speech than go to the average Raiders game here in Canberra!' Apologies, Zed.
In my time here I want to make sure that all Australians can choose their own job, buy their own home, start their own business or have their own family. For each small Australian to be big they must be free from big government, big banks, big unions and big corporations. I believe that the best way we can give Australians that independence is to keep taxes low, make it easy to employ someone, promote property rights, protect the family and continue to develop the 'plains extended' of our vast continent.

I have been lucky to have two wonderful parents, Bryan and Maria, who are here tonight; my brother and sister, John and Emma, who are also here; and my grandma Val Canavan. I will never forget the hours upon hours of playing cricket in our backyard in Logan, just south of Brisbane. My dad built us a full-length concrete cricket pitch. He boxed up the pitch himself and he even started mixing the concrete in a wheelbarrow. Very soon, a few yards into the full 22, he realised that was a bit silly and he ordered in a cement truck. I joke now that, while my dad is very proud that I have been elected a senator for Queensland, there is still a tinge of disappointment that I did not reach my true calling to wear the baggy green for Australia.

I have been lucky to meet my beautiful wife, Andrea, and I feel so blessed to have one person who I can share everything with—the ups and downs, the moves all around the countryside and most of all our three beautiful sons: William, Jack and Henry. We are expecting our fourth child very soon, and, just in case anyone is wondering, the due date is not nine months from election night.

I started talking about my family tonight because that is the reason I got involved in politics. I wanted to do something where my children could see the differences that I was making, so one day when I was sitting in front of a computer at the Productivity Commission I cold-called Tony Abbott's office and asked if he needed an economist. His office did not, but Barnaby did, so I ended up with him.

Honourable senators interjecting—

Senator CANAVAN: It was not meant to be a joke. I did not know Barnaby then, but I had met someone I very quickly grew to respect enormously. You get to know your bosses very quickly in politics. A few months in, we were working an election campaign and one night right in the middle of the campaign we were sharing a particularly comfy room together where the two single beds would have been at most half a metre apart. We tucked ourselves in for the night, and then I remembered that I had not called my wife. So I got out my phone and I texted my wife: 'Hi, babe. Love you. Miss you lots.' At least I thought that text went to my wife. Instead, I had been texting Barnaby so much that it went to him by mistake.

More seriously, in the words of TE Lawrence, Barnaby is someone who 'dreams with open eyes', and I want to thank him for the opportunity he gave me to work for him. One of our first trips together was to Cumbie Station. Late one night as we were coming home after a drink at the Dirranbandi Hotel we got talking about climate change, the ETS and all that. I said to him that what I could not understand while working at the Productivity Commission was why the renewable energy target had bipartisan support, even though it was clearly the most costly policy because it made poor people pay rich people to invest in wind farms or to put solar panels on their roofs. At this, Barnaby riled up and said that it was not the policy of the National Party, and of Ron Boswell, in particular. That was my introduction to Bozzie. There is no-one like Ron Boswell, and I certainly cannot replace him alone. It is up to all of
us in the Nationals Senate party room—Nigel, Fiona, Wacka, Bridget and Barry—to follow
Ron's example and take up the fight for the causes we may not want to fight for and we may
not think we can fight for, but we know we must.

I come into the Nationals party room not as your typical National Party senator. I am not a
farmer and I am not a small businessman; I am an economist who has spent most of his time
working for the Productivity Commission. We are lucky to have an organisation like the
Productivity Commission. There are very few independent organisations in the world that are
set up by governments to criticise governments. In my time there Gary Banks led the
organisation with consummate skill, and I thank him for taking the time to come here tonight.
My first boss, Ian Gibbs, is also here, and later tonight I am expecting to receive a copy of this
speech back with lots of corrections and red ink all over it.

It is an unusual path to travel from the Productivity Commission to the National Party. The
predecessor bodies of the commission fought famous battles against a great leader of the
Country Party, John McEwen. Those battles about protectionism are well and truly behind us.
John McEwen's underlying principles and values are what we should remember today. What
drove John McEwen was not a desire to impose higher tariffs but to protect the wealth-
producing industries of our nation. Once again, our wealth-producing industries need support.
Our agricultural, mining, manufacturing and tourism industries face high taxes, over-
regulation and, most of all, a complacency that they will keep producing wealth regardless of
what we do in this place.

While I was at the Productivity Commission, I was constantly reminded of how important
it is to get the costs of business down. We spent 30 years in Australia removing tariffs to
reduce business costs, deregulating financial markets to reduce business costs and reforming
our energy sector to reduce business costs. It is now often forgotten how successful that was.
From 1990 to the mid-2000s, electricity costs fell by 27 per cent in real terms for businesses.
For the past half a decade we have followed the opposite approach. We have imposed a
carbon tax and a renewable energy target that increased business costs, and we have unwound
many of the improvements to industrial relations that provided a way to link greater
productivity to higher wages. We have gone from having some of the cheapest power prices
in the world to now being just above average. Just seven years ago businesses in Australia
paid less than 10c per kilowatt hour for electricity. Today many pay more than 20c per
kilowatt hour. In the United States, businesses pay the same prices that we did just a few
years ago.

We have very similar resources to the United States—abundant supplies of coal and gas—but
we give up our natural advantage in wealth and job creation when we turn our back on
them. I want to put on the record my admiration and support for our fossil fuel industry and
the thousands of jobs it supports, including my brother's. Fossil fuels have made more
contribution than almost any other product or invention towards humanity's long ascent from
lives that were nasty, brutish and short to ones of comparative luxury and leisure.

The only form of energy that I want to promote is cheap energy, because we have a choice:
we can either have cheap energy or we will get cheap wages. To get cheaper energy, we need
to rediscover that the whole point of providing infrastructure is for the users of infrastructure,
not the owners. We have made a mistake in putting the profits of electricity and gas networks
ahead of lower prices for end consumers, businesses and families. We need a new national
productivity agenda to bring down the costs of doing business, to boost productivity and to create well-paying jobs. Higher productivity is the only viable way to lift our standard of living over the long term.

While I am an economist, our national debate is sometimes driven too much by economists. There are lots of truths in Adam Smith; there are also lots of truths in Aristotle, Aquinas, Hobbes, Rousseau and Rawls. Just because something does not have a price does not mean it has no value. In the National Party we believe that small is beautiful. Small farms and small businesses allow more Australians to have a stake in their country. Smaller towns provide for greater community spirit and the smallest social unit of society, the family, is the most important one for us all. As Aristotle noted, the nature of everything is best seen in its smallest portions.

The fundamental mistake of the National Competition Policy was the view you only needed the potential competition of a few big firms to deliver the benefits of actual competition from many small firms. The lived experience of potential competition has not delivered the goods. Farmers struggle to achieve a return on assets of more than two per cent, while our major supermarkets and banks make returns regularly of more than 10 per cent. It is not right that the people who produce and grow our food make returns so much lower than the people who sell our food. Our competition laws are too focused on protecting against monopoly power—but just as economically ruinous can be too much buying power, or monopsony.

It is probably a bigger issue, monopsony, for our economy because we are of a relatively small size, we have highly concentrated markets and we are a long way from potential overseas buyers. Apple growers in Stanthorpe rely heavily on the major supermarkets; sugar growers generally only have one mill to sell to; and grain growers, despite selling all around the world, have limited means to transport their product to market. Yet Australia's seminal legal textbook on competition laws does not mention the word monopsony, or buying power, once. This is not a criticism of the authors; they are simply reflecting the state of our laws and our jurisprudence. Too-low prices can be just as detrimental as too-high prices because they lead to lower supply and reduce incentives to invest in new technologies. To protect small businesses we need stronger competition laws. We need an effects test in the Trade Practices Act. We need low-cost arbitration processes and stronger penalties for dominant businesses that do the wrong thing.

We should encourage as many Australians as possible to own property. Owning property gives you both individual freedom and a collective stake in the defence of our nation, its liberties and its rights. One of the greatest days of my life was the day my wife and I got the keys to our first home. I remember that night well—we had pizza on the floor of our home. We had no furniture in it yet, but we were monarchs in a room of our own with rights that no one could dispute.

But homeownership is becoming increasingly out of reach for my generation. Unreasonable restrictions on land release are part of the reason, but these are largely state issues. At the federal level we make it harder for young people to buy their own home by forcing them to put 9.5 per cent of their income into a savings account they may not be able to access until they are 65. I wanted to own a home when I was 25, not 65. Why make people save for retirement before they can own their own home? We should free up the rules around
superannuation so that young people can use their income and their savings to buy their first home.

Property rights generally are under attack in Australia. The states should have the right to promote and protect public health, safety, welfare and morals; but governments across Australia are abusing this right. Farmers have had their right to clear land taken from them. Fishermen have had their right to fish restricted. Local councils are enforcing draconian restrictions on what can be done in self-defined green zones and landowners have more ability to keep their mother-in-law off their property than a mining company. By the way—hi, Joan; thanks for coming down!

In all of these cases the government is not acquiring property from landowners but the government is regulating its use to such an extent that it is effectively taken from private hands. Under our Constitution, property owners only have compensation rights for the acquisition of property, not for the taking of it by means of regulation. Our Constitution differs from the fifth amendment to the US Constitution in this regard. American courts have developed a detailed case law on regulatory takings that defines when government decisions amount to a taking and therefore trigger a compensation claim.

The private individual should not pay for the public good. If the public seeks greater protections, then it should be willing to pay just compensation for them. We should look at providing the same protections as exist in the United States here, either through our own constitutional change or an act of parliament. Property rights are important because they help protect the basic unit of our society, the family. Property delivers security and permanence and that encourages people to make the biggest investment decision of their lives: the decision to have children. I support a tax system that recognises the family. Family tax benefits are not welfare—they are due recognition that families face higher unavoidable costs and therefore deserve taxation relief. But not all families are treated equally under our tax system. Two Australian households that earn the same amount of joint household income can pay vastly different amounts of tax.

Take a household of two children where both parents work full time and each earn $60,000 per year. Their total household income is $120,000 and they pay about $24,000 a year in tax. Compare that to a household, also with two children, where only one parent works and earns $120,000 a year. They have the same household income, yet this household pays about $34,000 per year in tax—$10,000 per year more than the double-income household. Putting it another way, a double-income family could potentially earn up to $215,000 a year before they pay the same average tax rate as a single-income family on just $120,000 year. This is unfair. People with similar ways and means should pay similar amounts of tax. Other countries, including the United States, Germany and France, allow parents to split income for tax purposes. The Canadian government has promised to introduce income splitting once their budget has returned to surplus. We too should have a goal of correcting the injustice for single-income families once our budget returns to surplus under a coalition government.

The great reform efforts in industrial relations over the past 200 years were all aimed at reducing the time we spend at work, and I recognise the efforts of the Labor Party in bringing many of these achievements about. But it is a backward step in modern times that we now try to maximise the number of people in work. For most of us, what we achieve in the home will far outweigh our achievements at work. My wife and I have made the decision that she would
stay at home and look after our children while they were young. Even so, she too feels the
modern pressure to enter paid work because, as it works now, unless you are in paid work you
are not contributing. That view is rubbish. Whatever I achieve in my professional career,
including in this place, will not matter a jot compared with the achievements and legacy of
my wife. When we are 64, enjoying a bottle of wine, what we will reflect on is our children
and, God willing, our grandchildren. My wife will have a greater impact on that outcome,
because I spend too much time at work.

My son came home from school the other day with one of those posters of himself with his
picture on it and questions about what he likes and does not like. He said his favourite thing to
do was to ‘tackle daddy’. Henry, I hope I find the time in this job so you can keep tackling me
enough. Andrea, if you want to tackle me from time to time, that is okay, too.

Mr President, you would be aware of the hardships we senators face. Unlike our colleagues
in the other place, we sometimes have to wait up to 10 months before taking our seat in
parliament! But it is not all bad. I used some of my time to spend a few weeks working in a
stock camp in the Gulf of Carpentaria. I went there to learn about cattle, but I came away
learning more about people. I learnt about the young Australians that get off their backsides
and work hard in a place thousands of kilometres from their friends and their family, often for
not very much money.

I want to thank Brendan Menegazzo, Tony McCormack and John O’Kane for making this
happen. I also want to thank Tom and Tanya Arnold, the property managers at Miranda, for
their kindness and hospitality; and Tess Cox, the head stock woman, and her team for finding
nice quiet horses for me to ride on, even if that did not stop me falling off.

I hope that in my time here I can make decisions that do not make their lives any more
difficult, because we want people to follow them and go to the frontiers of our nation, work
hard and build something better. I want to make it easier for them to get to town on a Friday
night on decent roads. I want to let them pay tax that reflects the level of public services that
exist 100 kilometres from Normanton—which isn’t very much. I want to let them enjoy the
simple pleasures of living that life, which include fishing; rum and coke; pigging; and, for
some, cigarettes, without putting up taxes every year, or regulating every little risky
enjoyment in life.

I am proud to have been elected as the 10th Liberal National Party senator and the 52nd
Nationals or Country Party senator. I have been a member of both the Liberal and National
parties separately. In Queensland, we are a stronger unit for combining the great principles
and people of these two great parties. I want to thank all the members of the LNP for the work
they did to help me be here. I am always humbled to see so many people work for free to help
me get a well-paying job. Getting elected to the Senate is a team effort. I want to thank, like
James did, the great work that Senator Ian McDonald did in leading our team at last year’s
election—and, of course, James as well for his work. But also most of all to our other
candidates David Goodwin, Theresa Craig and Amanda Stoker who put in tireless amounts of
work, travelling a big state to help us all be here.

Many from the LNP have travelled down to be here tonight, but I want to particularly thank
Bruce McIver and hard work of his executive and office team. I also want to pay tribute to
Brad Henderson, who could not be here tonight because they work so hard they have another
election this Saturday and they are up in Brisbane.
Wednesday, 16 July 2014

I pray to God that He can help me meet the expectations I have set here. I pray that I can contribute to the Senate in ways that respect and build on its great legacy. I pray that I can work with a government that returns Australia to the path of balanced budgets; returns Australia to a path where opportunity and security increases every year; and, most of all, a place where all Australians find their own independence and freedom to live the lives they want to lead. I look forward to working with every one of you for the benefit of all Queenslanders and all Australians. Thank you and God bless.

MINISTERIAL STATEMENTS

National Plan to Reduce Violence Against Women and their Children

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (17:47): On behalf of the Minister Assisting the Prime Minister for Women, Senator Cash, I table a ministerial statement on the launch of the second action plan of the national plan to reduce violence against women and their children.

COMMITTEES

Government Response to Report

The PRESIDENT (17:48): In accordance with the usual practice, I table a report of parliamentary committee reports to which the government has not responded within the prescribed period. The report has been circulated to honourable senators. With the concurrence of the Senate, the report will be incorporated in Hansard.

The document read as follows—

PRESIDENT’S REPORT TO THE SENATE ON GOVERNMENT RESPONSES OUTSTANDING TO PARLIAMENTARY COMMITTEE REPORTS AS AT 16 JULY 2014

PREFACE

This document continues the practice of presenting to the Senate twice each year a list of government responses to Senate and joint committee reports as well as responses which remain outstanding. The practice of presenting this list to the Senate is in accordance with the resolution of the Senate of 14 March 1973 and the undertaking by successive governments to respond to parliamentary committee reports in timely fashion. On 26 May 1978 the Minister for Administrative Services (Senator Withers) informed the Senate that within six months of the tabling of a committee report, the responsible minister would make a statement in the Parliament outlining the action the government proposed to take in relation to the report. The period for responses was reduced from six months to three months in 1983 by the incoming government. The Leader of the Government in the Senate announced this change on 24 August 1983. The method of response continued to be by way of statement. Subsequently, on 16 October 1991 the government advised that responses to committee reports would be made by letter to a committee chair, with the letter being tabled in the Senate at the earliest opportunity. The government affirmed this commitment in June 1996 to respond to relevant parliamentary committee reports within three months of presentation.

On 29 September 2010, the House agreed to a resolution which places a six month response time on House and joint committee reports tabled in the House. The Senate has not agreed to a similar resolution. Therefore, this list is prepared on the basis of retaining the three month reporting undertaking for Senate and joint committee reports tabled in the Senate.

This list does not usually include reports of the Parliamentary Standing Committee on Public Works, the Parliamentary Joint Committee on Human Rights or the following Senate Standing Committees: Appropriations and Staffing, Privileges, Procedure, Publications, Regulations and Ordinances, Scrutiny...
of Bills, Selection of Bills and Senators' Interests. However, such reports will be included if they require a response. Government responses to reports of the Public Works Committee are normally reflected in motions in the House of Representatives for the approval of works after the relevant report has been presented and considered.

Reports of the Joint Committee of Public Accounts and Audit (JCPAA) primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. However, responses to administrative recommendations are made in the form of an executive minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recommendations are required to provide an executive minute within six months of the tabling of a report. The committee monitors the provision of such responses.

An entry on this list for a report of the JCPAA containing only administrative recommendations is annotated to indicate that the response is to be provided in the form of an executive minute. Consequently, any other government response is not required. However, any reports containing policy recommendations are included in this report as requiring a government response.

Senate committees report on bills and the provisions of bills. Only those reports in this category that make recommendations which cannot readily be addressed during the consideration of the bill, and therefore require a response, are listed. The list also does not include reports by committees on estimates or scrutiny of annual reports, unless recommendations are made that require a response.

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A guide to the legend used in the 'Date response presented/made to the Senate' column

* See document tabled in the Senate on 16 July 2014, entitled *Government Response to Parliamentary Committee Reports—Response to the schedule tabled by the President of the Senate on 12 December 2013 for Government interim/final response.*

** Report contains administrative recommendations—any response to those recommendations is to be provided to the JCPAA committee in the form of an executive minute.

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<td>Management of the Murray Darling Basin—Interim report—The impact of mining coal seam gas on the management of the Murray-Darling Basin</td>
<td>7.2.12 (presented 30.11.11)</td>
<td><em>(interim)</em></td>
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<td>Operational issues in export grain networks</td>
<td>10.5.12 (presented 16.4.12)</td>
<td><em>(interim)</em></td>
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<td>The management of the Murray-Darling Basin—Final report</td>
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<td>Aviation accident investigations</td>
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<td>Auditor-General’s reports on Tasmanian Forestry Grants Programs</td>
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<td>Foreign investment and the national interest—First report—Beef imports</td>
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<td>Practice of sports science in Australia</td>
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<td>Interim report—Ownership arrangements of grain handling</td>
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<td>Review of the citrus industry in Australia</td>
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<th>Committee and title of report</th>
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<td>Qantas’ future as a strong national carrier supporting jobs in Australia</td>
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<td>Effect on Australian pineapple growers of importing fresh pineapple from Malaysia; Effect on Australian ginger growers of importing fresh ginger from Fiji; Proposed importation of potatoes from New Zealand</td>
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<td>Report 137—Treaty referred on 15 January 2014</td>
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<td>Report 139—Treaties tabled on 11 December 2013; referred on 15 January and tabled on 11 February 2014</td>
<td>14.5.14 (tabled HoR 13.5.14)</td>
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<td>Report 140—Treaty tabled on 13 May 2014—Interim report</td>
<td>26.6.14 (tabled HoR 23.6.14)</td>
<td>Not required</td>
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1 See House of Representatives Votes and Proceedings, 29 September 2010, p44

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (17:48): I present the government’s response to the President’s report of 12 December 2013 on outstanding government responses to parliamentary committee reports, and I seek leave to incorporate the document in Hansard.

Leave granted.

The document read as follows—
GOVERNMENT RESPONSE TO PARLIAMENTARY COMMITTEE REPORTS
RESPONSE TO THE SCHEDULE TABLED BY THE PRESIDENT OF THE SENATE ON 12 DECEMBER 2013
Circulated by the Leader of the Government in the Senate Senator the Hon Eric Abetz 16 July 2014
A CERTAIN MARITIME INCIDENT (SENATE SELECT)
Report on a Certain Maritime Incident
The Government response is being considered.
AUSTRALIA'S FOOD PROCESSING SECTOR (SENATE SELECT)
Inquiry into Australia's food processing sector
The Government response is being considered and will be tabled in due course.
AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY (JOINT STATUTORY)
Integrity of overseas Commonwealth law enforcement operations
The Government response is being considered and will be tabled in due course.
BROADCASTING LEGISLATION (JOINT SELECT)
Three broadcasting reform proposals
The Government response is being considered and will be tabled in due course.
COMMUNITY AFFAIRS LEGISLATION
Annual reports (No. 2 of 2012)
The Government response was tabled on 15 May 2014.
COMMUNITY AFFAIRS REFERENCES
The effectiveness of special arrangements for the supply of Pharmaceutical Benefits Scheme (PBS) medicines to remote area Aboriginal Health Services
The Government response is being considered.
The factors affecting the supply of health services and medical professionals in rural areas
The Government response is being considered.
Palliative care in Australia
The Government response is being considered.
Australia's domestic response to the World Health Organization's (WHO) Commission on Social Determinants of Health report "Closing the gap within a generation"
The Government response is being considered.
Supply of chemotherapy drugs such as Docetaxel
The Government response is being considered.
Involuntary or coerced sterilisation of people with disabilities in Australia
The Government response is being considered and will be tabled in due course.
Impacts on health of air quality in Australia
The Government response is being considered and will be tabled in due course.
Involuntary or coerced sterilisation of intersex people in Australia
The Government response is being considered and will be tabled in due course.
CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT (JOINT SELECT)

Preliminary report on the majority finding of the Expert Panel on Constitutional Recognition of Local Government: the proposal, timing and likely success of a referendum to amend Section 96 of the Australian Constitution to effect financial recognition of local government

No further Government action required.

Final report on the majority finding of the Expert Panel on Constitutional Recognition of Local Government: the case for financial recognition, the likelihood of success and lessons from the history of constitutional referenda

No further Government action required.

CORPORATIONS AND FINANCIAL SERVICES (JOINT STATUTORY)

Access for small and medium business to finance

The Government does not intend to respond to the report as this matter is being considered as part of the Government's Financial System Inquiry.

Inquiry into the Personal Liability for Corporate Fault Reform Bill 2012

The Government is considering the Committee's recommendations.

Family business in Australia—different and significant: why they shouldn't be overlooked

The Government response is being considered and will be tabled in due course.

Financial sector reform in China: the role of, and opportunities for, the Australian financial services sector—Report of the Parliamentary Joint Committee on Corporations and Financial Services: Delegation to China

The Government response is being considered.

CYBER-SAFETY (JOINT SELECT)

Second interim report—Cyber safety for seniors—a worthwhile journey

The Government response was tabled in the Senate and in the House of Representatives on 13 February 2014.

ECONOMICS LEGISLATION

Food Standards Amendment (Truth in Labelling Laws) Bill 2009

The Government response is being considered.

Annual reports (No. 2 of 2010)

The Government response is being considered.


The Government does not intend to respond to the report as the Bills are no longer before the Parliament.

Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [Provisions]

The Government response is being considered.

Education and Employment Legislation Committee

Fair Work (Registered Organisations) Amendment Bill 2013 [Provisions]

The Government introduced amendments to the Bill on 13 May 2014 which responded to the Senate Committee's recommendations in its report on the Bill.
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS LEGISLATION

Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012 [Provisions]
The Government response is being considered and will be tabled in due course.

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS REFERENCES

Provision of childcare
The Government response was tabled on 19 June 2014.

Higher education and skill training to support agriculture and agribusiness in Australia
The Government response is being considered and will be tabled in due course.

The shortage of engineering and related employment skills
The Government response is being considered and will be tabled in due course.

The adequacy of the allowance payment system as a support into work and the impact of the changing nature of the labour market
The need for a Government response has been overtaken by events that supersede the recommendations, such as the change of Government and subsequent 2014 Budget measures and policy review processes—the Review of Australia's Welfare System and the Review of Employment Services Beyond 2015.

Teaching and learning—maximising our investment in Australian schools
The Government response is being considered and will be tabled in due course.

ELECTORAL MATTERS (JOINT STANDING)

Implications of the Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections
The Government response is being considered and will be tabled in due course.

Report on the funding of political parties and election campaigns
The Government response is being considered and will be tabled in due course.

Review of the AEC analysis of the FWA report on the HSU
The Government response is being considered and will be tabled in due course.

ENVIRONMENT AND COMMUNICATIONS REFERENCES

The koala—saving our national icon
The Government response is being considered and will be tabled in due course.

The Australian Broadcasting Corporation's commitment to reflecting and representing regional diversity
The Government response is being considered and will be tabled in due course.

The feasibility of a prohibition on charging fees for an unlisted number service
The Government response was presented out of sitting on 6 February 2014 and tabled on 11 February 2014.

Effectiveness of current regulatory arrangements in dealing with radio simulcasts
The Government response is being considered and will be tabled in due course.

Effectiveness of threatened species and ecological communities' protection in Australia
The Government response is being considered and will be tabled in due course.

Recent trends in and preparedness for extreme weather events
The Government response is being considered and will be tabled in due course.
ENVIRONMENT, COMMUNICATIONS AND THE ARTS REFERENCES
The impacts of mining in the Murray-Darling Basin
The Government response is being considered and will be tabled in due course.

FINANCE AND PUBLIC ADMINISTRATION LEGISLATION
Plebiscite for an Australian Republic Bill 2008
The Government response is being considered.

FINANCE AND PUBLIC ADMINISTRATION REFERENCES
Staff employed under Members of Parliament (Staff) Act 1984
The Government response is being considered.

Implementation of the National Health Reform Agreement
The Government response is being considered.

Progress in the implementation of the recommendations of the 1999 Joint Expert Technical Advisory Committee on Antibiotic Resistance
The Government response is being considered.

FOREIGN AFFAIRS, DEFENCE AND TRADE (JOINT STANDING)
Australia's trade and investment relationship with Japan and the Republic of Korea
The Government response is being considered and will be tabled in due course.

Care of ADF personnel wounded and injured on operations
The Government response was tabled in the Senate and in the House of Representatives on 6 March 2014.

Trading lives: Modern day human trafficking
The Government response is being considered and will be tabled in due course.

Review of the Defence annual report 2011-2012
The Government response is being considered and will be tabled in due course.

FOREIGN AFFAIRS, DEFENCE AND TRADE LEGISLATION
Implementation of the Defence Trade Controls Act 2012—Progress report no. 1
The Government response was presented out of sitting on 8 January 2014 and tabled on 11 February 2014.

FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES
Australia's overseas development programs in Afghanistan
The Government response was tabled on 26 June 2014.

The importance of the Indian Ocean rim for Australia's foreign, trade and defence policy
The Government response was tabled on 6 March 2014.

Report of the DLA Piper review and the government's response
The Government response was presented out of sitting on 5 May 2014 and tabled on 13 May 2014.

GAMBLING REFORM (JOINT SELECT)
Fifth report—The advertising and promotion of gambling services in sport—Broadcasting Services Amendment (Advertising for Sports Betting) Bill 2013
The Broadcasting Services Amendment (Advertising for Sports Betting) Bill 2013 lapsed when the 43rd Parliament was prorogued. As at 13 May 2014, this Private Senator's Bill has not been restored to the Notice Paper, or re-introduced. The Government notes that the Joint Select Committee on Gambling
Reform in its fifth report: The advertising and promotion of gambling services in sport; *Broadcasting Services Amendment (Advertising for Sports Betting) Bill 2013*, recommended the Bill not be passed.

**INTELLIGENCE AND SECURITY (JOINT STATUTORY)**

Report of the inquiry into potential reforms of Australia's national security legislation

The Government response is being considered and will be tabled in due course.

**LAW ENFORCEMENT (JOINT STATUTORY)**

Inquiry into the gathering and use of criminal intelligence

The Government response is being considered and will be tabled in due course.

Examination of the Australian Crime Commission annual report 2011-12

The Government response was tabled in the Senate and in the House of Representatives on 20 March 2014.

Spectrum for public safety mobile broadband

The Government response is being considered and will be tabled in due course.

**LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION**

*Migration Amendment (Health Care for Asylum Seekers) Bill 2012*

The Government response is being considered and will be tabled in due course.

*Public Interest Disclosure Bill 2013 [Provisions]*

The Government response is being considered.

**LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES**

The road to a republic

The Government response is being considered.

Impact of federal court fee increases since 2010 on access to justice in Australia

The Government response is being considered and will be tabled in due course.

Value of a justice reinvestment approach to criminal justice in Australia

The Government response is being considered and will be tabled in due course.

Framework and operation of subclass 457 visas, Enterprise Migration Agreements and Regional Migration Agreements

The Government response is being considered and will be tabled in due course.

**MIGRATION (JOINT STANDING)**

Immigration detention in Australia—A new beginning—Criteria for release from detention—First report of the inquiry into immigration detention

The Government response is being considered and will be tabled in due course.

Immigration detention in Australia—Community-based alternatives to detention—Second report of the inquiry into immigration detention

The Government response is being considered and will be tabled in due course.

Immigration detention in Australia—Facilities, services and transparency—Third report of the inquiry into immigration detention

The Government response is being considered and will be tabled in due course.

Inquiry into migration and multiculturalism in Australia

The Government response is being considered and will be tabled in due course.
NATIONAL CAPITAL AND EXTERNAL TERRITORIES (JOINT STANDING)
Etched in stone? Inquiry into the administration of the National Memorials Ordinance 1928
The Government response is being considered and will be tabled in due course.
An estate for the future—The allocation of land to diplomatic missions in the ACT
The Government response was tabled in the Senate on 10 July 2014 and in the House of Representatives on 14 July 2014.
Report on the visit to Norfolk Island—29-30 April 2013
The Government response is being considered and will be tabled in due course.
Visit to the Indian Ocean Territories 21 to 25 October 2012
The Government response is being considered and will be tabled in due course.
Inquiry into the provisions of amenity within the Parliamentary Triangle
The Government response was tabled in the Senate on 10 July 2014 and in the House of Representatives on 14 July 2014.
PUBLIC ACCOUNTS AND AUDIT (JOINT STATUTORY)
Report 417: Review of Auditor-General’s reports tabled between February 2009 and September 2009
The Government response is being considered.
The Government provided its response to the last remaining recommendation on 28 February 2014.
Report 436: Review of the 2011-12 Defence Materiel Organisation major projects report
The Government response is being considered.
Report 437: Review of Auditor-General’s reports Nos 2 to 10 (2012-13)
The Government response was tabled in the Senate and in the House of Representatives on 26 June 2014.
The Government response is being considered.
The Government responded by Executive Minute to the recommendations.
PUBLIC WORKS (JOINT STANDING)
Public works on Christmas Island
The Government response is being considered and will be tabled in due course.
REGIONAL AND REMOTE INDIGENOUS COMMUNITIES (SENATE SELECT)
Final report 2010
The Government response is being considered.
RURAL AND REGIONAL AFFAIRS AND TRANSPORT LEGISLATION
Australian Sports Anti-Doping Authority Amendment Bill 2013
The Government response was given during the debate on the bill.
Competition and Consumer Amendment (Australian Food Labelling) Bill 2012 (No. 2)
The Government does not intend to respond to the report as the Bill is no longer before the Parliament.
RURAL AND REGIONAL AFFAIRS AND TRANSPORT REFERENCES

The possible impacts and consequences for public health, trade and agriculture of the Government's decision to relax import restrictions on beef—First report

The Government response is being considered.

The possible impacts and consequences for public health, trade and agriculture of the Government's decision to relax import restrictions on beef—Final report

The Government response is being considered.

Management of the Murray Darling Basin—The impact of mining coal seam gas on the management of the Murray-Darling Basin—Interim report

The Government response is being considered and will be tabled in due course.

Operational issues in export grain networks

The Government response is being considered and will be tabled in due course.

The management of the Murray-Darling Basin—Final report

The Government response is being considered and will be tabled in due course.

Aviation accident investigations

The Government response was tabled on 20 March 2014.

Auditor-General's reports on Tasmanian Forestry Grants Programs

The Government response is being considered and will be tabled in due course.

Foreign investment and the national interest

The Government response is being considered.

First report—Beef imports

The Government response is being considered.

Practice of sports science in Australia

The Government response is being considered.

Interim report—Ownership arrangements of grain handling


TREATIES (JOINT STANDING)

Report 128—Inquiry into the Treaties Ratification Bill 2012

The Government response was tabled in the Senate and in the House of Representatives on 27 March 2014.

Report 130—Treaty tabled on 14 August 2012

The Government response is being considered and will be tabled in due course.

Report 134—Treaties tabled on 12 March and 14 May 2013

The committee no longer requires a response.

Report 136—Treaty tabled on 14 May 2013

The Government response was tabled in the Senate and in the House of Representatives on 13 February 2014.
DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red.

Details of the documents also appear at the end of today's Hansard.

COMMITTEES

Membership

The PRESIDENT (17:49): Order! I have received letters from party leaders requesting changes in the membership of various committees and a letter from Senator Ludwig resigning his place in the Parliamentary Joint Committee on Intelligence and Security.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (17:49): I move:

That—

(a) Senator Ludwig be discharged from the Parliamentary Joint Committee on Intelligence and Security and Senators Bushby, Conroy and Wong be appointed as members of the committee, pursuant to the Intelligence Services Act 2001; and

(b) senators be discharged from and appointed to committees as follows:

Health—Select Committee—

Appointed—

Substitute members:

Senator Waters to replace Senator Di Natale for 21 and 22 August 2014

Senator Rhiannon to replace Senator Di Natale from 10 to 12 September 2014

Senator Whish-Wilson to replace Senator Di Natale from 3 to 5 November 2014

Participating member: Senator Di Natale

Legal and Constitutional Affairs Legislation Committee—

Appointed—

Substitute members: Senators Ketter and Peris to replace Senators Bilyk and Collins for the committee's inquiry into the exposure draft of the Medical Services (Dying with Dignity) Bill 2014

Participating members: Senators Bilyk and Collins.

Question agreed to.

BILLS

Trade Support Loans Bill 2014

Returned from the House of Representatives

The PRESIDENT (17:50): I have received a message from the House of Representatives informing the Senate that the House has agreed to the amendments made by the Senate to the Trade Support Loans Bill 2014.
Pursuant to order and as the chair of the respective committee, I present the report of the Committee of the National Broadband Network Companies Amendment Tasmania Bill 2014 together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

REGULATIONS AND DETERMINATIONS

Migration Amendment (Offshore Resources Activity) Regulation 2014

Disallowance

Senator WRIGHT (South Australia) (17:51): I move:

That the Migration Amendment (Offshore Resources Activity) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 64 and made under the Migration Act 1958, be disallowed.

The Greens are proud to be moving today to disallow the Migration Amendment (Offshore Resources Activity) Regulation 2014. Here is why.

If you are working on an offshore oil and gas platform in Australian waters you get Australian wages and conditions. If you are working at the oil and gas processing hub onshore you get Australian wages and conditions. But if you are working on the ship laying the pipe between the platform and the land, because of this regulation you do not have to get Australian wages and conditions. You get paid whatever your employer likes. You are not covered, for example, by the Fair Work Act. That is what this pernicious and sneaky regulation does. It is my understanding that this regulation is already costing Australian jobs.

I think most people would be shocked to know that companies in Australia's exclusive economic zone are extracting Australia's resources yet do not have to apply Australian labour law as the minimum standard. That is something that the Liberal Party and the coalition are actively pushing for. In effect, the government wants to maintain a loophole for cheap overseas labour that is being exploited at the expense of local workers. Legislation to close that loophole was passed by the last parliament and the Greens proudly supported it because it was squarely in the national interest. That was the Migration Amendment (Offshore Resources Activity) Act 2013 or the ORA act. The intent of the ORA act, which the Greens supported, was to make companies extracting Australian resources apply Australian labour laws. It is not rocket science; it is just fair. It is something that most people would expect happens already, but it is something that the Liberals have never supported.

The offshore resources activity act that was passed in the last parliament was opposed by the then coalition opposition. They have never supported it. Now in government they are trying to repeal it before it has even commenced operation. On 27 March 2014 the government introduced the Migration Amendment (Offshore Resources Activity) Repeal Bill 2014 into the parliament. As its name suggests, it is designed to repeal the ORA act that closed the loophole, which left overseas workers not only open exploitation on their wages but also high and dry when it came to their working conditions. The government bill has been passed by the House of Representatives but has not yet been passed by the Senate. The
government failed to get its repeal bill through the parliament and that is why we have this sorry regulation before us. It is another sneaky workaround, but they have been caught out. We know what it will do.

For the first time, this regulation will allow overseas workers to work for up to three years straight in the oil and gas zone without a visa that has Australian labour law as the legal basis underpinning their wages and conditions. These workers would not be subject to Australian labour laws and could be paid as little as $1,000 a month, or about the same as the Newstart allowance for unemployed Australians—that is $250 a week for working 12 hours a day in hot, dirty and high-risk conditions. Prime Minister Tony Abbott likes to talk about moral barrels—well, this is his bottom of the barrel. The Greens heard from a mature age electrical engineer named Dave:

It's impossible for Aussie nationals to get employment in the offshore oil and gas sector. I got a call from an Australian company which urgently needed an electrician. I left for the airport the following morning at 5 am. I got to Broome and then flew to the vessel. The entire journey took 36 hours. When I arrived on the vessel, I was presented with a contract. It turned out that the Australian company was, in fact, just an agent for a Singapore company which was offering inferior wages and conditions as a result of this regulation.

No wonder the Liberals and their donors want this regulation. When we look behind it, what do we find? Cost savings and exploitation.

Increasing employment of overseas workers in the offshore oil and gas sector would also have the effect of eliminating some vital training for young Australians. Under current enterprise agreements, employers in the sector have agreed to train one new entrant marine engineer for every 10 marine engineers currently employed. Fewer Australian marine engineers employed translates directly into fewer trainees.

The current ORA act requires the Minister for Immigration and Border Protection to make a regulation allowing for the visas to be held by the workers on the ships laying the pipes between the platform and the land. The regulation that we are seeking to disallow includes a visa category that is totally inappropriate: a maritime crew visa. The maritime crew visa is an existing visa that was specifically designed to allow foreign seafarers on international trading ships to travel on their ships around the Australian coast as part of an international voyage. This is not a working visa. Those people are not allowed to work in Australia, yet the people laying those pipes are indisputably working. They are working just like those people working on the platform and they are just like those people working on the land.

The purpose of having this maritime crew visa is so that, when a company is extracting Australian resources, it does not matter if no locals are employed on that project and it does not matter if those people are employed on half the wages and inferior conditions than usually apply under Australian law. The government do not care, because all they need to hear is a list of submissions from big business that says, 'We'll make more money if we do it this way.' That is enough for them. What the Abbott government is actively doing here is selling out Australian workers, flogging off our precious resources cheaply and sending the profits offshore. Yet again we see the government's harsh globalisation agenda that betrays our people, this country and our essential fair go way of life.

The Australian Greens believe that companies making money from Australian resources in Australian waters should apply Australian wages and conditions on those projects. Instead,
here we see the Abbott government making a sneaky regulation designed to circumvent legal protections for local workers. To justify what it has done, the government is making Chicken Little claims about what will happen if local workers are protected—but the claims are untrue.

The disallowance of this regulation need not be disastrous. The immigration minister can simply choose to fix the problem immediately by issuing a new regulation that provides for those workers to have an alternative visa that requires companies in Australian waters to comply with Australian minimum workplace standards when they employ local or overseas workers. Offshore oil and gas projects will, of course, continue but they will just have to pay their workers Australian wages and abide by Australian workplace conditions. Disallowing this regulation is about giving a fair share of resources to local workers. It is not just about preventing exploitation. More fundamentally, it is about standing up for a fair go. So while Prime Minister Abbott has his bargain basement economic approach, especially when it comes to terms and conditions for workers—not necessarily for his mates—the Greens believe in the rule of law and a fair day's pay for a fair day's work. Surely, that is what the Australian fair go is all about.

That is what the Greens are standing up for and that is why we are disallowing this regulation. The Australian Greens say that disallowing this regulation is squarely in the national interest. It is about shoring up the Australian way of life, Australian values, which the Prime Minister's radical agenda is rapidly eroding. Disallowing this regulation is about investing the value of Australian resources into our country and our people. Resources in Australia, including those in Australia’s exclusive economic zone, are there to be used for the benefit of this country. But the bulk of those benefits have been flowing overseas for years. In the mining sector 83 per cent of profits flow overseas, largely to institutional shareholders. That is scandalous. There are problems in this country when it comes to our workers also getting a fair share from resources under our oceans. These resources are finite. You only get to dig them up once or extract them once and then they are gone. You would hope that, in the process of doing that, we would at least ensure that people in the Commonwealth of Australia and in the states of Australia receive a fair return. But that has not been happening. Now, on the other side of the mining boom, as the mining dust settles, it is clear that we have squandered and continue to squander our resources revenues.

It is not just the profits that have gone overseas; the profits that have been left here have been squandered by successive generations of Liberal and Labor governments. Instead of putting the profits away for some day in the future, when the rest of the world tells us to stop digging, we have spent and spent and now it is coming back to haunt us. Can we truly say that we have used that fleeting wealth to its maximum potential? Have we used it to invest in emerging industries? Have we used it to invest in the education and training of our people for the future? Why doesn’t Australia have the world’s largest sovereign wealth fund, like Norway, which invests in all those important aspects of its society—education, training and emerging industries, which it created by charging a 78 per cent tax on its resources, a similar level to that of our mining profits which flow offshore.

We need to treat our resources as precious because they are. They have built up over aeons and, once exploited, once mined, they will be gone forever. Our resources are not any more precious than our Australian people. The true value of those resources lies in being able to
plough back that wealth into society for the benefit of all. They belong to all of us. We have a right to all jointly benefit from those resources.

Local workers have not been getting a fair share of the benefits from the resources boom. The profits have not been invested in transitioning us to the clean energy society that will set us up well for the 21st century when other nations say stop digging or stop emitting high carbon emissions or when, indeed, those resources run out. Like the cheap labour shill that he is, the Prime Minister wants to accelerate this wealth flowing out of the country. The Greens say that that is not good enough.

Disallowing this regulation is just about giving a fair share of resources to local workers. It is not just about preventing exploitation, although it is certainly part of that. More fundamentally, it is about standing up for a fair go. The Greens believe in the rule of law and a fair day's pay for a fair day's work and it is that simple. That is what the Greens are standing up for here and why we are committed to disallowing this regulation.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (18:03): Let us be very clear: we have just heard from the Australian Greens, who have moved the disallowance motion. They have confirmed by their words that there is only one threat to Australian jobs this afternoon and that is in this disallowance motion being agreed to. I want to make it very clear to those listening to this debate that, if this motion is agreed to, the immediate impact on the vote being declared will be that noncitizens and non-permanent residents working in the offshore oil and gas industry will have to down tools to prevent them from being in breach of their visa conditions. I want to say that again, so everybody listening is very clear of what will happen if this disallowance motion is agreed to. The offshore oil and gas industry in Australia is at risk of grinding to a halt this afternoon if the Labor Party join together with the Australian Greens and support the disallowance motion.

When you want to talk about the impact on Australian jobs, I truly hope that the shadow minister for immigration has given you all talking points. I hope the MUA have got their press release ready, because they will be explaining to the Australian workers in the maritime industry and to all of the workers who are affected by the downstreaming of this industry that their jobs are in jeopardy because the disallowance motion gets agreed to.

If Labor members and senators, and in particular senators because they will be voting on this motion, are truly concerned about the jobs of Australians and the interests of their union members, I would say to them: please recognise the necessity of these multibillion-dollar operations being able to use what is a very small number of highly specialised international workers who are integral to the operations of the companies that are currently providing jobs for thousands of Australians as a result of the fact that they are prepared to do business in this country. If you want to launch a campaign to stop Australian jobs this afternoon rather than keep Australians working in this industry, then support the disallowance motion. But I say to each and every senator who will be casting a vote: do so at your peril or, in the next 15 minutes, phone your shadow minister and find out what the true impact of this disallowance will be. I can assure you that jobs will be in jeopardy when the vote is declared because it is at that point that all of those people who are here on visas will no longer be able to undertake the work that they are doing.
I understand the shadow minister for immigration's instruction to Labor senators is to support this disallowance. The shadow minister is either blissfully ignorant of the effect the disallowance on what are Labor Party union members—and if that is the case then, quite frankly, he should resign—or perhaps, more worryingly, he is actually putting the interests of the MUA—one of the most militant unions in Australia—above the national interest and above the interests of those Australian workers who this afternoon, right now, are out there relying on the oil and gas industry to give them a job.

I refer to the shadow minister's potential ignorance in the press release that he issued yesterday accusing the government of trying to replace the offshore resource worker visa class. I would like to confirm with the Senate no such visa actually exists. Perhaps, though, it does exist as a figment of the shadow minister's imagination because, I can tell you now, there is no such visa.

Labor support of this motion is nothing more and nothing less to do with pressure that has been put on the Labor Party by the MUA, who have been trawling the corridors of this place for a number of days now. We know that they are one of the most militant unions in Australia. They are exercising this influence all because they want to have control over the 15 per cent of the highly specialised international workers who carry out work in Australian waters in support of the offshore oil and gas industry. The only reason, for those listening in to this debate, that those workers are now even in the migration zone is because Minister O'Connor, as one of his parting gifts to the Australian public, on the final day of the parliament in 2013, rammed the legislation through the Senate with less than three minutes of debate.

This motion is not directed at immigration policy, far from it. The motion is intended to inflict harm on the oil and gas sector as a sector of the mining industry, which the Australian Greens are sworn to destroy. This is an issue about sovereign risk. If Labor supports the motion, it will send a very clear message to global industry that Australia cannot be relied upon to support the oil and gas industry operating in Australian waters. I remind senators this is a global industry which determines the allocation of billions of dollars of exploration and operating expenditure according to international risk.

If the disallowance is agreed to, these specialists currently employed on oil and gas installations in the migration zone will immediately become unlawful non-citizens under the Migration Act. This raises very serious questions as to whether or not contractual obligations that have been entered into by oil and gas companies will be affected. Quite frankly, the issue was raised that if they are affected and there are damages, will they be able to sue the Australian taxpayer for compensation?

I am aware of false claims by those advocating for the disallowance motion that disallowing the ORA regulations will compel the industry to use the subclass 457 visa. I can tell you that is completely, totally and utterly incorrect. I say to senators, if you are supporting the disallowance on the basis of that claim, please think again; it is wrong. The effect of that disallowance will be to prevent the use of any prescribed visa, including the subclass 457 visa. The effect of this, as I already stated, is that a person who is not an Australian citizen or a permanent resident will be in breach of their temporary visa conditions if the disallowance is agreed to and they continue to participate in or to support offshore resources activity in the migration zone.
The next allegation I want to address is that the government's regulation is somehow opening the floodgate for the industry to use foreign workers instead of Australian workers. Again, that is completely, totally and utterly incorrect. To anyone making that allegation, I say this to you: it shows that you have a complete lack of any form of any understanding of the offshore oil and gas industry internationally. Senators will be aware that the offshore oil and gas industry is a global industry and it relies upon the capacity to be able to transfer workers with specialist skills from project to project and from country to country. Without having access to this highly specialised international labour, which represents but a small fraction of those who are directly employed in the industry, I can tell you right now that this industry will not continue to exist in Australia and that is exactly what the Australian Greens want.

We will be the only jurisdiction globally to regulate these workers. And it is pretty obvious that when you are the only jurisdiction internationally doing something, you create an automatic issue of sovereign risk because future decisions of global companies in the oil and gas industry determine the allocation of billions of dollars of exploration and operational expenditure according to international risk. The offshore oil and gas industry has about $200-billion worth of major projects either under construction or in operation. The maritime support sector employs about 2,500 people and this estimated by Deloitte Access Economics to create up to 10,000 flow-on jobs. Again, those jobs will be put at risk if this disallowance motion is agreed to.

In relation to the claims that have been made of the exploitation of foreign workers not on 457 or 400 visas, senators should understand that approximately 85 per cent of workers working in this area, in this sector, on specialist offshore resource vessels are Australian employees and 100 per cent of those on fixed installations, such as rigs, are Australian residents and they are paid in full accordance with Australian laws, they are superannuated in accordance with Australian laws and these workers pay tax just like any other Australian employee.

It is the remaining 15 per cent of workers in this sector—and they are the international highly skilled specialists—who are paid in accordance with international maritime law, including the rules set by the International Labour Organization and the Maritime Labour Convention 2006, which Australia has ratified. These are the people who the industry is not going to have access to as of this disallowance motion going through. Remember this: it is those highly specialised workers who create the Australian jobs—not the other way around. Any way you look at this, this is an international industry working under very specific conditions, and those conditions are going to be disallowed with this motion.

In terms of the effect on the specialists currently employed on oil and gas installations in the migration zone on an offshore resources activity, again, if the disallowance is agreed to, these specialists will become unlawful noncitizens under the Migration Act. These specialists carry out such roles as captain, chief engineer, first mate and ships electrician, and they are a vital part of keeping this multibillion dollar vessel operating. If the disallowance is supported, these ships, with their international crews, will not be able to work in Australian waters and participate in an offshore resources activity.

These multibillion dollar vessels are in demand globally, and it is a fact that, if they cannot crew these vessels with their own highly skilled specialists, whom they use internationally, as,
for the majority of time, whether it is in Brazilian waters, Italian waters, waters off the coast of Africa or in Australia, the crew follows the ship, and they do not get access to that labour—and I again say to senators in this place, please be aware of what you are voting for when the vote is called—that potentially means a flow-on effect to the thousands of Australians who, at this present point in time, at 18 minutes past six, are currently employed. And it will not be because of this side of the chamber that they lose their jobs.

Offshore oil and gas facilities employ hundreds of Australian workers, and those workers know the vital part played by these specialists in keeping the offshore facilities operating effectively and safely. These Australian workers know the operational value and the skills they bring to the projects and why there is a need to employ these specialists. These Australian workers want to know that their jobs will not be threatened by the forced removal of these specialist operators. The Greens are well and truly using this motion to put in jeopardy the jobs of Australian workers because they hate the oil and gas industry internationally and they hate the mining industry—and anything they can do, even under the guise of telling people it is about Australian jobs, when they know it is not—they will do. The Greens are a party where sovereign risk does not appear on their radar.

In the short time I have left, I want to take the Senate to a case study of the Allseas Australia’s workforce strategy to underline the importance of highly skilled international workers to ensuring the ongoing jobs of Australian workers:

Such is the highly specialised nature of Allseas’ work that its pipelay vessels on current Australian projects, Lorelay and Highland Navigator, operate with full-time international crews. Lorelay is the larger of the two and comprises 25 non-Australian nationals, trained at Allseas’ state-of-the-art facility, who travel with the 236 metre ship wherever she is needed.

In other words, the crew is dedicated to the ship. As was stated by Allseas Australia regional manager Willem van Benten:

If we were to work in Argentina or in South Africa or anywhere else in the world, we fly the people to the place that is used to run the crew changes; they travel to the vessel the next day by helicopter or crew boat and, after their four to six week period offshore, they then go back to their place of abode where they have their family.

Regardless of where we are operating, the vessel comes with about 25 international crew who remain with the vessel and are really the management of the vessel. This is where the special skills sets of controlling or operating and maintaining the vessel is concerned, they provide that expertise and know-how.

On Lorelay we use Brunel Technical Services to provide all of our blue-collar labour and the foremen to supervise and run those crews.

They are in partnership with Australian labour hire companies for the majority of the positions in these contracts, and on that particular vessel that is approximately 100 to 110 Australian workers.

He goes on to say:

Then for the nautical aspects, concerning the ship’s duties like taking stores on board, maintaining the engine room and providing catering services to the ship’s whole complement, we contract Programmed Total Marine Services—which is around 40 additional people.

Australian workers—
15 places on board are taken by the customer, in this case Chevron, for supervision and quality control; and then we have some quality control of our own which can be a mix of Australian and non-Australian nationals.

But from a total complement of 215 workers on board Lorelay, we have 140 or 150 Australian people doing those tasks that are more universal. So when we are in Australia—those positions go to Australians.

This idea that Allseas is taking jobs from Australians is a myth; really our ships are creating many times the opportunities for locals than are taken by the foreign crew.

Again I say to the Senate, please remember that the workers Allseas gets jobs for, because they bring their vessels into Australian waters and they contract with Australian labour hire firms to have those people brought out to the rigs or to the ships, they are the workers you will be doing out of a job if this disallowance goes through because all of the highly specialised labour currently working at 6.23 pm, will be unlawful citizens and unable to perform their duties under the Migration Act.

I say to senators, if you are truly concerned about the employment of Australian workers and the interests of your union members, you will see the necessity of these multibillion dollar operations to access what is a small number of highly specialised international workers who are integral to the companies securing the ongoing employment of Australian workers. If you want to stop that overnight, in fact if you want to stop it in but a few minutes, support the disallowance motion because that will be the effect of this disallowance motion going through. I conclude by asking all senators to have regard for the ongoing jobs of Australian oil and gas workers and the workers in downstream industries and not put these Australian workers' future is in jeopardy. I ask you: please act in the national interest because if you do not you are likely to bring a global industry in Australia to a standstill tonight.

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (18:24): The motion for disallowance of this regulation deserves the support of the Senate for one primary reason—that is, because if it is allowed to stand the jobs of thousands of Australians will be at risk. The specific reason this could occur is that the regulation introduces the maritime crew visa as being acceptable for overseas citizens working within Australia's offshore oil and gas industry.

The maritime crew visa was introduced in 2007 for seafarers on international trading ships sailing to and from Australia. It does not require compliance with Australia's labour laws. It allows Australia to undertake security checks on international seafarers and allows international seafarers to have access to shore leave for limited periods of time.

Seafarers covered by maritime crew visas are not subject to Australian minimum employment conditions. Their conditions may be significantly below Australian pay and conditions. Rates of pay under international agreements may be in the order of $1,000 per month for an ordinary seaman. This is less than the Newstart allowance for unemployed Australians—let alone the rates of pay in the relevant awards and agreements.

There are hundreds of vessels operating in the Australian offshore oil and gas industry at any one time. These include seismic research vessels, drill ships, construction vessels, specialised vessels such as pipe-layers and rock dumpers, supply vessels, standby vessels and support vessels. The operation of these vessels currently involves the employment of thousands of Australians. The majority of these workers are employed in the waters off the
north of Western Australia. However, they live in every state and territory of our Commonwealth. These Australian citizens and permanent residents pay taxes in Australia. Their livelihoods will be at risk if the regulation is allowed to continue because they could be replaced within a short period of time by cheaper, foreign workers under maritime crew visas.

The regulation for the first time makes the maritime crew visa available for people working continuously within Australia's migration zone. To repeat: this is the first time that the maritime crew visa would be made available to people working within Australia's exclusive economic zone, as opposed to international seafarers on commercial trading ships on international voyages.

The rates of pay for these seafarers are so low that it will be impossible for vessel operators to ignore the option of employing overseas workers within Australia's exclusive economic zone. Also, since the maritime crew visa is not subject to the labour market testing requirement introduced in 2013, there will be no need for any offshore oil and gas positions to be advertised within Australia.

Most of the jobs in the offshore oil and gas industry are casual jobs. The current Australian workers could be given their notice of termination and paid out within a very short period of time. Moreover, the employment of overseas workers will also exclude any opportunity for young Australians, like my son, to gain training in marine engineering. Under current enterprise agreements, Australian employers have undertaken to train new entrant marine engineers at a rate of one trainee for every 10 Australian marine engineers employed.

For these reasons, it is important that the regulation introduced on 16 June be disallowed. The minister should request an immediate re-write of the regulation without the maritime crew visa and table a new regulation as soon as possible to ensure that the Migration Amendment (Offshore Resources Activity) Act 2013 is implemented without putting at risk thousands of Australian jobs.

Senator BACK (Western Australia) (18:28): With deep respect, Senator Lambie—through you Acting Deputy President—I have to explain how wrong you are. I particularly appeal to Senator Carr, Senator Moore, Senator Brown, Senator McEwen and others in this chamber. It is not often that you rise to beg for bipartisan support across the whole chamber. Before I came into the Senate, I was an executive director in the oil and gas industry. It is an industry I know and my comments to my colleagues opposite—and I wish they were listening—are to appeal to you, Senator Carr, Senator Moore, Senator Lambie and Senator Wright—through the chair—to understand what it is that you are about to do.

The people to whom you are referring, Senator Lambie—through you, Acting Deputy President—are not the people who are going to be affected by this legislation. In a previous life I travelled on livestock ships; British officers, Pakistani crews. I travelled in and out of Australian ports; in and out of Middle East ports. I understand the maritime situation well.

I do not want to go into the politics of this. I want to say to you: you should understand very clearly—I went to you, Mr Acting Deputy President Whish-Wilson, before we had the maiden speeches tonight, because I want you to understand clearly what it is we are talking about. This is not something to do with party politics. It is to do with the employment opportunities of Australians.
Senator Wright—through you, Acting Deputy President—you cannot be more wrong when you speak about low-paid international employees on these ships. I was on a platform supply vessel in Central America in December and January. This is an industry I understand. The sorts of vessels that Senator Wright was speaking about, and that Senator Lambie just mentioned, are highly specialised international vessels. They are platform supply vessels. They are dredges. You would have seen them operating in our northern ports. They are subsea installation vessels. These are not low-paid international subclass workers; these are highly paid specialists. These are people who command the highest of incomes.

So that I could be accurate this evening, at twenty to five this afternoon I called an international shipowner who has their vessels currently in the Gulf of Mexico. I said to this shipowner: 'This is what is being proposed'—I am sorry you are leaving, Senator Lambie, because it is very important that you hear this—'what is being proposed is that, if you were to bring your vessels into Australian waters, you would immediately have to change the industrial conditions under which your highly specialised employees are registered to work'. Do you know what this person's answer was? It was: 'Chris, it would be totally uneconomic for me to bring my vessels into Australian waters under those conditions'.

I do not want to go down Senator Cash's path. I do not want to accuse my colleagues in the Greens of wanting to destroy the offshore oil and gas industry. That is Senator Cash's right. I will not go down that path. My Greens colleagues are people who I admire and respect. We often differ, but we can have good discussions, as Senator Siewert and I have done over the last couple of days on another issue.

I want you to understand clearly that what Senator Cash has said here this evening is absolutely right. The sorts of positions on the vessels we are talking about are not those that Australians will replace. These are highly specialised subsea installation vessels.

A colleague with whom I spent a lot of time not long ago was brought into Australian waters to re-establish the Montara field, above surface. But then he was asked to re-establish the subsea structures as well. He was competent to, because he is one of the best in the world, but he did not want to. Subsequently he did re-establish the subsea structures. He employed Australians as the opportunity arose. But each person in those crews was a highly-paid highly-specialised international. They are the people who follow the vessels.

These are dredges; these are pipe-laying vessels; these are platform supply vessels; these are the vessels that produce the mud and the cement and pump it. This is not the sort of stuff you get people who are unskilled to do. This is the sort of work that is critical from an environmental point of view and from an occupational health and safety point of view.

This person said to me at twenty to five this afternoon: 'Chris, if you had not got me out of bed in the middle of the night, if I was in my office, I would send to you the demand curve. Because the demand at the moment around the world is so great for these highly specialised vessels that we could be operating in offshore Brazil—where the same company is bidding on work at the moment—'in the North Sea, in West Africa, in the South China Sea, as we are here in the Gulf of Mexico.' And there is an enormous demand at the moment in Mexico; the Mexican government has increased radically its exploration drilling, and that is the work this particular group are in. And this person said to me: 'Chris, if you think that the owners of these vessels and these highly-skilled highly-paid international crews are going to come into
Australian waters under these circumstances when we have so much other work around the world, then you must tell them they are dreaming.’

Colleagues, what I want you to understand is this: these vessels are very often the vessels that are directly related to the occupational health, safety and welfare of the Australians who work on the rigs. They are the people who take supplies out to the rigs. They are the people who take equipment off the rigs, take them in to shore, do the necessary maintenance and repair work, and take them back out. They are the people that look after the rig anchorage systems. They are the people who have the capacity in the event of fire, because their vessels are also equipped for fire control and fire suppression. I have to defer to Senator Cash as the Assistant Minister. I am not pretending to be far enough across the issues associated with visas. But if it is the case that, as of the time this is disallowed, those people working on those vessels find themselves illegal, let me tell you what is going to happen, Senator Carr: the first thing is those people are not going to work when they are working illegally. The second point I want to make to you is: those owners are going to remove their vessels from our waters. I cannot tell it to you any more plainly.

These are people are friends of mine. My son-in-law is a Norwegian from the city of Stavanger, which is the centre of the Norwegian shipping, and oil and gas industry. I would like to engage with you at some time: I too envy the Norwegians for the sovereign wealth fund that they have got, Senator Wright. This is not an industry about which I have no knowledge; it is an industry that my family are involved in. It is an industry my son-in-law has helped to develop, particularly some of the platform and offtake vessels.

This is critically important, Senators, because if we cannot supply the rigs, if we cannot do the dredging, if we cannot lay cables, if we cannot do the subsea installation, simply because the economics of it is not there for the these owners, we are placing not just the $200 billion offshore oil and gas industry at risk; we are placing thousands of high-paid Australian jobs at risk. We are placing at risk the opportunity for Australians to develop the expertise that resides on these vessels—all for what?

These people are already highly paid. They already travel with the ships. The ships do not stay all that long. They might stay weeks. They might stay months. If there is a dredging opportunity going on in Port Hedland, they will stay there—big Dutch dredges were there the last time I was in Port Hedland. They will be there for the length of that contract and they will be gone, Senator Wright. But they are not going to be replaced by Australians.

If you bring through this disallowance this afternoon, those dredges are not going to come into Australian waters and all of a sudden have Australian crews on them, because they do not have the skills. We do not have a skill base in this country and we will never develop a skill base in this country simply because those vessels are not going to be here. The Australians who are getting jobs on them and learning from the highly skilled specialists who are there will not have that opportunity, because they will be operating offshore Brazil. They will be operating the Gulf of Mexico. They will be operating in the South China Sea. They will be operating off West Africa, and we are the losers.

Senator Lambie, this is not a situation in which tens of thousands of Australian jobs are being put at risk because this disallowance has not been put through. I say to you: thousands of Australian jobs will be at risk tonight and beyond. If these people find themselves in a circumstance in which this disallowance goes through, they will no longer be able to work in
Australian waters. Those vessels owned by overseas owners with crews that are highly specialised will leave Australian waters—they will go—and what will be left behind, unfortunately, is an industry at risk. We have at risk thousands of Australian high-paid jobs. Your colleague Senator Dio Wang, coming as he does from the mining industry, as I understand it, in Western Australia, would understand the levels of payment in that particular industry.

Let me finish with this: Australia is already becoming non-competitive in offshore oil and gas. Our costs have now escalated to such an extent that, by the time the new developments offshore come into commercial production, the Canadians will be delivering LNG into Japan more cheaply than we are here in Australia.

The managing director of one of the major—I will mention it, because he did publicly. Speaking to Roy Krzywosinski, the managing director of Chevron, recently, he said to me and then repeated it at an APPEA conference—they have the big Gorgon project that started out at $37 billion, now $52 billion; they have also got the Wheatstone contract further south. He said to me—

**Senator Ludlam:** You should have put it on the mainland.

**Senator BACK:** They might have put it on the mainland, if there had been a place to put it. He said, 'We are not going to go ahead with the next train on Barrow Island, because the economics just aren't in it.'

Can I plead with you—it does not affect me; none of my family work in the oil and gas world in Australia. It certainly affects Australia. It affects my state but, by gee, I tell you who it affects: it affects thousands of Australian workers.

Senator Wright may have wonderful motives in moving this disallowance. But I, like Senator Cash, want you all to understand very, very clearly that, if you move and if you pass this disallowance, you are putting those very Australian jobs about which Senator Lambie spoke at risk for no gain but massive loss.

I will finalise: the demand curve at the moment for the sorts of vessels we are speaking about is so high, every shipyard—the South Korean yards; the Chinese yards; the Singaporean yards—Keppel and Sembawang; and the yards in Malaysia at Johor Bahru—is building them at breakneck speeds. For any of us who think that we in Australia have got this magnetic attraction and everybody wants to come and work in our waters, I say to you: they haven't. I ask that you think very, very carefully. My plea would be that Senator Wright, on reflection, withdraws this disallowance motion. If she will not, I say to each of you: if you pass this disallowance tonight, you are immediately not only putting Australian jobs at risk; you are putting a massive offshore oil and gas industry at risk, one that internationally is already becoming uncompetitive because of cost. Of those who would be worst affected, not one of them operating on a vessel at the moment will lose one dollar, because they will be outside Australian waters so quickly, and the losers will be Australia. I hate to say it, but this Senate will have made that decision. I can assure you that I will, with some pride, be able to look my associates in the oil and gas industry around the world in the face and say, 'I did my best to convince my colleagues not to go down this path.'

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (18:46): I move:

That the question be now put.
The PRESIDENT: The question is that the motion moved by Senator Siewert—that the question be now put—be agreed to.

The Senate divided. [18:50]

(The President—Senator Parry)

Ayes ......................35
Noes ......................31
Majority ...............4

AYES

Bilyk, CL
Bullock, J.W.
Carr, KJ
Di Natale, R
Hanson-Young, SC
Lambie, J
Lines, S
Ludwig, JW
Madigan, JJ
McEwen, A (teller)
Milne, C
Muir, R
Polley, H
Rice, J
Singh, LM
Urquhart, AE
Waters, LJ
Wright, PL

Brown, CL
Cameron, DN
Dastyari, S
Gallacher, AM
Ketter, CR
Lazarus, GP
Ludlam, S
Lundy, KA
Marshall, GM
McLucas, J
Moore, CM
O'Neill, DM
Rhiannon, L
Siewert, R
Sterle, G
Wang, Z
Whish-Wilson, PS

NOES

Abetz, E
Bernardi, C
Brandis, GH
Cash, MC
Day, R.J.
Fawcett, DJ (teller)
Fifield, MP
Johnston, D
Macdonald, ID
McKenzie, B
O'Sullivan, B
Payne, MA
Ruston, A
Scullion, NG
Sinodinos, A
Williams, JR

Back, CJ
Birmingham, SJ
Bushby, DC
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
Mason, B
Nash, F
Parry, S
Reynolds, L
Ryan, SM
Seselja, Z
Smith, D

Question agreed to.

The PRESIDENT (18:52): The question now is that the motion to disallow the Migration Amendment (Offshore Resources Activity) Regulation 2014 moved by Senator Wright be agreed to.
A division having been called and the bells being rung—

**Senator Back:** Kim, they will be bringing in helicopters tonight to start taking people off the offshore oil rigs. Do you people understand that?

*Senator Kim Carr interjecting—*

**The PRESIDENT:** Order! Senator Back and Senator Carr!

*Senator Back interjecting—*

**The PRESIDENT:** Order, Senator Back!

*Senator Lines interjecting—*

**The PRESIDENT:** Senator Lines, that applies to you too.

**Senator Sterle:** It's a shame you lot don't have the same level of passion about truckies!

*Senator Heffernan interjecting—*

**The PRESIDENT:** Senator Heffernan! Senators, it is disorderly to interject, let alone when you are not in your own seats, so there should be silence.

The Senate divided. [18:54]  
(The President—Senator Parry)

Ayes ......................35  
Noes ......................31  
Majority ...............4

**AYES**

- Bilyk, CL
- Bullock, J.W.
- Carr, KJ
- Di Natale, R
- Hanson-Young, SC
- Lambie, J
- Lines, S
- Ludwig, JW
- Madigan, JJ
- McEwen, A (teller)
- Milne, C
- Muir, R
- Polley, H
- Rice, J
- Singh, LM
- Urquhart, AE
- Waters, LJ
- Wright, PL
- Brown, CL
- Cameron, DN
- Dastyari, S
- Gallagher, AM
- Ketter, CR
- Lazarus, GP
- Ludlam, S
- Lundy, KA
- Marshall, GM
- McLucas, J
- Moore, CM
- O'Neill, DM
- Rhiannon, L
- Siewert, R
- Sterle, G
- Wang, Z
- Whish-Wilson, PS

**NOES**

- Abetz, E
- Bernardi, C
- Brandis, GH
- Cash, MC
- Day, R.J.
- Back, CJ
- Birmingham, SJ
- Bushby, DC
- Colbeck, R
- Edwards, S
Question agreed to

**The PRESIDENT** (18:56): The matter is resolved in the affirmative, which means that the Migration Amendment (Offshore Resources Activity) Regulation 2014 has been disallowed.

**Senator Back:** Don't you talk to me about protecting jobs again, ever!

**The PRESIDENT:** Order, Senator Back!

**Senator Sterle interjecting**—

**The PRESIDENT:** Order, Senator Sterle!

### ADJOURNMENT

**The PRESIDENT** (18:57): Order! I propose the question:

That the Senate do now adjourn.

### Budget

**Senator CAROL BROWN** (Tasmania) (18:57): I rise tonight to speak about the future of higher education in Australia—a future that could see many people denied the opportunity to reach their full potential because of the Abbott government's proposed $5 billion cuts to higher education; a future that will see students paying much higher fees and being saddled with bigger HECS bills.

I speak as many Tasmanian students have, just last week, received their university examination results. Some of those students will now be looking forward to graduating at ceremonies in the coming weeks. They have been able to fulfil their ambition to get a university degree, but many others will not be so fortunate.

Many Tasmanians will simply not be able to afford to go on to further education. They will not be able to afford a $100,000 price tag for a degree. The Abbott government wants to end Australia's fair and equitable higher education system. They want to put an end to fairness and equity. But Labor will never stand by and tell anyone that the quality of their education depends on their ability to pay. Never should a person's access to education be based on whether they can pay for it. And with such massive cuts to higher education and university research, students will have to pay.

These cuts are massive: $5 billion in cuts to higher education and university research; $3.2 billion in cuts to HECS; $1.9 billion in cuts to universities by reductions in government course subsidies; $202 million in cuts by indexing university grants to CPI; $172.4 million in...
cuts to fund and reward universities for enrolling low SES students—and I will refer to this callous measure later; $173.7 million in cuts to the training of Australia's research students, who are the scientists and academics of the future; and a $75 million cut to the Australian Research Council grants. And, of course, we must not forget that this government wants to fully deregulate student fees from 2016, which will lead to higher fees and spiralling student debt.

It has been estimated by experts that students could be faced with fees of up to $200,000. Modelling by the University of Melbourne shows that a course like medicine could cost between $117,000 and $203,000 over the course of a degree. It is clear that the Abbott government wants to wreck our current university system—a move that has been described as a crime. On his recent visit to Australia, Nobel prize winning economist Professor Joseph Stiglitz said:

Trying to pretend that universities are like private markets is absurd. The worst-functioning part of the US educational market at the tertiary level is the private for-profit system. It is a disaster. It excels in one area, exploiting poor children. If you're rich your parents can pay the fees, but if you are poor you are going to worry about how much debt you're undertaking. While we in the US are trying to re-regulate universities, you are talking about deregulating them. It really is a crime.

It is a crime because they will take Australia down the path of greater inequality.

In my home State of Tasmania the effects of the cuts to higher education will be diabolical. Not long after the Abbott government handed down the harshest budget in recent history, the Vice-Chancellor of the University of Tasmania, Professor Peter Rathjen, emailed university students. He outlined what the implications would be for the University of Tasmania. Professor Rathjen said:

Our early modelling suggests a decrease to our University in CGS revenue from government of around $30 million per annum.

The ability of the university to recoup those reductions in revenue through fee premiums may be limited by the economic circumstances of the island.

In a world where competition is intensified, specialisation is encouraged and the demand on students to fund our activities is increased, we may also need to evaluate which aspects of our mission must be assigned higher value and which, regrettably, may need to be diminished or abandoned.

Today in question time, on a question asked by Senator Kim Carr about Tasmania, we had no comfort at all from the Minister representing the Minister for Education. There was no comfort to the families and students studying in Tasmania. Rosita Gallasch wrote in the Launceston Examiner newspaper on 17 June of the 'tumultuous' times ahead for the University of Tasmania:

We also have the issue of the population in Tasmania and the fact that the state is unique for many reasons and the University of Tasmania plays an integral role.

The state is unique for many reasons and the university plays an integral role—few would probably realise it is Tasmania's third largest employer after Woolworths and Coles.

However, rumours continue to circulate that a Northern campus may close in the wake of the overhaul to the tertiary education sector announced by the federal government in the May budget.

No one could deny the loss of a Northern campus, whether that be in Launceston or Burnie, would have far-reaching implications on the population.
One of the few Tasmanians not worried about the axe hanging over UTAS is the federal Liberal member for Lyons Eric Hutchinson. According to a report in the Launceston Examiner last Saturday, Mr Hutchinson said Tasmania's higher education sector should prosper under these changes. The report said Mr Hutchinson had dismissed fears that deregulation would cost UTAS $30 million—even though the vice-chancellor of UTAS had already indicated via an email to staff and students that the modelling they had done had, indeed, indicated there would be a cut of $30 million per year. Mr Hutchinson dismissed those fears; in fact, he described the changes to higher education saying, 'This is a real sweet spot for Tassie.' He went on to say:

If UTAS is not up to it you will see other universities coming here and competing here, whether they come in physically or online, I'm not sure.

These comments are simply absurd. It is ironic that in his maiden speech Mr Hutchinson spoke of the importance of UTAS to the Tasmanian economy. He said:

... it is about using our smartest and brightest people at the University of Tasmania to build on the smarter investments in schools and to encourage more Tasmanians to consider taking a course at UTAS. Peer acknowledged UTAS is the best teaching university in Australia; it is also in the top nine research universities in the country. How many young Tasmanians know this, I wonder?

I can tell Mr Hutchinson that many young Tasmanians will not ever get to know about the wonderful record of UTAS because they will rule out ever going to university because they cannot afford it—because of this government. Mr Hutchinson's Liberal colleagues, Mr Whiteley and Mr Nikolic, have also previously spoken about the importance of the UTAS to developing the state.

I could go on about the lack of support from those three Liberal members in not speaking out about the impact of these higher education cuts on the University of Tasmania. I do not have much time, so I will say to those members that they need to talk to Minister Pyne about the impact that a $30 million cut per year will have on the University of Tasmania. The Labor Party will not support a system of higher fees, larger student debt and reduced access and greater inequality.

**Domestic Violence**

Senator WATERS (Queensland) (19:08): I rise tonight to speak about an issue that all of us here in the chamber are united in our concern about. Despite our concern and good intentions, it is an issue that we are taking a backward step on. We must face the truth about domestic violence and we must be mindful of the impacts that every one of our laws and policies have on this important issue. Every woman who dies through domestic violence is one too many and we, in this chamber, have a responsibility to try to lead the push for cultural change to prevent violence against women and their children.

Sadly, it is my view that this government is not effectively fulfilling that responsibility. The Abbott government's budget cuts threaten to trap women and children in violent homes. Brutally, the Abbott government is seeking to abolish the National Rental Affordability Scheme. Whilst women's refuges provide some immediate accommodation for women and children fleeing domestic violence, they are already struggling financially to keep up with the alarming demand and they can only offer short-term housing. Once that short-term refuge accommodation is up, many victims will have nowhere to go. With no safe affordable, long-term housing options for accommodation, this means that, sadly, they will simply have to
return to their abusive partners and live with the threat of more violence. The National Rental Affordability Scheme helped women to escape this fate, but that has been cut at the hands of the Abbott government. This government's budget also threatens to cut tax support for single parents, which again could see women financially unable to start or maintain a new, free life with their children.

Domestic violence infiltrates all parts of society and while victims have varying levels of financial means, a common feature of abusive relationships is control and often abusive partners control their victims' money. That is why the Abbott government's GP co-payment is so sinister. If a victim of domestic violence cannot see a doctor for free, she may not go at all. Firstly, she may not be able to afford it and, secondly, even if she can afford the fee, she may need to ask her abusive partner for the money. Of course, he is probably the reason that she needs to see a doctor in the first place.

Think about that control of money in the context of the Abbott government's cuts to community legal centres. Many victims of domestic violence cannot afford private legal advice and, again, even if they could, they might not have control over the funds to secure the advice. That is why free legal advice for victims of domestic violence is so incredibly important. Yesterday, I attended the National Family Violence Prevention Legal Services forum here in parliament, hosted by my colleague Senator Nova Peris from the Labor Party, at which the Minister Assisting the Prime Minister for Women, Senator Cash, also attended. This organisation provides much needed legal advice to Aboriginal and Torres Strait Islander women across the country, with a focus on rural and regional areas. We know that Aboriginal and Torres Strait Islander women are, incredibly, 31 times more likely to be hospitalised from domestic violence.

The convener of the National Family Violence Prevention Legal Services forum asked Minister Cash to explain why the government was inflicting so much funding uncertainty on this organisation, despite their utterly crucial and 100 per cent front-line work. Sadly, the minister's only response was to talk about the budget crisis, which this government has confected so that they can punish and take from the most vulnerable while they give to the big end of town. And, sadly, with cuts to legal services, housing and single parent support, and by making it harder to see a doctor, the Abbott government's budget is completely insensitive to the needs of victims of domestic violence.

While the Abbott government has released the second action plan on domestic violence, which provides, unfortunately, only about $25 million a year for four years, it is ripping far more funding out of the budget from support that victims of domestic violence currently rely on. This shows a complete ignorance of the needs of women which, disappointingly, is hardly surprising given the Abbott government has only one woman in its cabinet.

I am pleased that the Greens have succeeded in setting up a Senate inquiry into domestic violence. It will include looking at the impact of the Abbott government's proposed and past budget cuts on victims. I urge women, women's advocacy groups, women's service providers, non-governmental organisations, police services, legal professionals, housing providers, medical specialists and anyone whose lives have been touched by domestic violence to make a submission to this inquiry before the end of the month. I dearly hope that after hearing from victims, from refuges and from service providers about the harm that these budget cuts will cause, the government will back down and abandon these cruel, insensitive budget cuts.
The inquiry will also scrutinise the adequacy of the second action plan to reduce violence against women and their children and, importantly, whether it is appropriately funded. Also, it will look at what more the federal government can do in this crucial area both in terms of leadership and in terms of coordination with other levels of government and with the non-governmental sector. We have to ensure that federally we are doing as much as we can on this issue because the statistics are truly horrific. One woman a week is killed in Australia by her current or former partner. One in three Australian women over the age of 15 has experienced violence and one in every five has experienced sexual violence. Yet we see over the last few days there are some who appear to derive humour out of sexual violence against women.

I am really pleased that today the Greens, with the support of everybody in this chamber, passed a motion calling for Wicked Campers to remove their sexist and misogynist slogans that incite violence against women. I am really proud that the Senate unanimously supported the motion and sent that strong message that the promotion of sexual violence will not be tolerated in Australian society.

Violence against women is no laughing matter. It is not a joke to be painted on the back of a van for hire. I would like to take this chance to commend, congratulate and thank Paula Orbea, who was the mother in Sydney who launched a petition against one of the most offensive slogans on those vans. Forgive me, but it does bear reading into the *Hansard*, because any reasonable person would consider it truly affronting. The slogan was, 'In every princess there is a little slut who wants to try it just once.' Ms Orbea's 11-year-old daughter saw that slogan on the back of a van and feared for her safety. She expressed those concerns to her mum. I am really proud that both Ms Orbea and her daughter took up the fight and started a petition. As at earlier today, more than 120,000 people have signed the petition condemning that misogynist, women-hating and violence-promoting slogan on the back of the van. Again, I am really pleased that all senators today condemned that kind of language and called on the company to remove that slogan.

Later this afternoon, we found that the company has now agreed to remove that particular slogan. They have also committed to removing other slogans that they describe as 'insensitive' over the coming months. I welcome that, but I would caution against simply calling these slogans insensitive. They are misogynist, they are sexist and they incite crime. They incite violence against women and children. They trivialise, normalise and entrench violence against women. That is why I am so pleased that, through the efforts of Ms Orbea and the Senate today, we have sent that strong message. I firmly believe that together we can change the culture that both permits and entrenches violence against women. We can challenge it, we can name it, we can condemn it and ultimately we can end it—and we will.

**Budget**

*Senator GALLACHER* (South Australia) (19:17): I rise to make a contribution in this adjournment debate about an issue that probably has not had the prominence it deserves. Views on this issue are widely held and deeply felt in the community. Mr Acting Deputy President Sterle, as you and I both know due to our interaction with constituents in Western Australia and South Australia, there is a great body of resentment and anger about the GP co-payment.

I want to set the scene. The Hon. Tony Abbott has broken his promise on no new taxes, with a $7 GP tax and an increase in the cost of medicines that will cost a typical family $270
per year. The GP tax alone will cost Australian families $3.5 billion in out-of-pocket costs—a hit on some of the most vulnerable Australian families. This is part of the government's plan, I believe, to dismantle Medicare. It is a lazy policy and it will deliver greater complications and sickness, more pressure on hospitals and, overall, a greater cost to the system, taxpayers and patients. Importantly, the Australian Medical Association, the Australasian College for Emergency Medicine, the Doctors Reform Society, the Public Health Association of Australia, the Royal Australian College of General Practitioners, the Consumers Health Forum, the Australian Healthcare and Hospitals Association and countless health academics and economists have advised against this tax. But the government went ahead anyway.

Importantly, we had the opportunity, through estimates, to query the making of these policies, to ask questions about modelling and the like. At a recent exchange with the fiscal group of Treasury, on 4 June 2014, my question to that group was:

Was that advice or that modelling provided to the Commission of Audit? I first heard about this Medicare $7 co-payment through the media and the Commission of Audit. Were those unelected people also privy to this modelling and advice?

The reply was:

They certainly would not have been privy to the advice that we provided to the Treasurer, no.

My reply to that was:

Unless the Treasurer gave it to them?

Senator Cormann came in and said:

I am happy to take on notice and check with the Treasurer personally and directly, but I am fairly confident that the Treasurer would not have handed Treasury modelling to the Commission of Audit.

I am trying to get to the situation where this Commission of Audit recommended to the government a Medicare co-payment. On what basis did it recommend that co-payment? Obviously, if the Treasurer and the department are correct, not on the basis of modelling.

There are plenty of people in the community who can pay a $7 co-payment. There are plenty of people in the community who now pay more. They just pay a doctor and go and get their Medicare rebate. But, if there has not been any modelling on the impact, particularly on the vulnerable, in aged-care facilities or in regional Australia, this government is going the wrong way. As you and I both know, Mr Acting Deputy President, there is a great swelling of anger about this unfairness that is creeping into what used to be a very good system.

I asked a question of Senator Nash the other day. The question for Senator Nash was quite simple:

Can the minister confirm that, under current bulk-billing arrangements, a medical practice in a regional area receives a higher bulk-billing incentive than in a metropolitan area? And can the minister confirm that under the government's budget savings measure this higher incentive for GPs has been abandoned and that regional GPs who do not charge the $7 GP tax will be more than $14 worse off per consultation?

Mr Acting Deputy President, as you and I well know—through my travels through regional South Australia and your work in the Kimberley and regional Western Australia—it is extremely hard to get doctors into regional areas in any event. There are very, very generous subsidies to attract doctors to practise in regional areas—and here we have another disincentive for them to go out there. The minister, in her reply, did what is customary in this
place. She blamed someone else, she blamed the budget deficit, she blamed the budget emergency. She blamed Senator Wong, the then finance minister. She alluded to former Prime Minister Bob Hawke. She did everything except actually address the issue. Is it a fact that, in regional Australia, medical practitioners will be $14 worse off per consultation? If they are servicing people who are vulnerable and do not have the money, should they turn them away or should they service them and just cop the loss? These very important issues, I believe, have been modelled. I believe the fiscal group is not a group that would not have done the modelling to actually identify these issues; it is just that this government went ahead without any thought at all about those most vulnerable people in our regional areas.

I turn now to another really interesting area where this is going to have a catastrophic effect. I have received a letter from Dr Daniel Anderson. He has distributed this letter to all senators, to Christopher Pyne, to Kate Ellis and to the Minister for Health, Peter Dutton. The letter states:

I am a general practitioner in Linden Park, SA.

In particular, only a very few GPs practice in aged care facilities. An article in one of the weekly medical magazines a year or two ago stated that of all the GPs in Australia only about 15% are prepared to do aged care in the facilities. It is difficult medicine and I rarely see any young doctors at the variety of places I visit; usually the same "old faces". Most of us manage huge numbers of patients in these facilities; my load varies from 120-150 residents as well as full time GP work.

There is no way GPs could ask for the $7.00 co-payment (most have dementia) let alone why should we accept a $5.00 reduction in the rebate. I understand that if the co-payment is not collected from these patients the GP will not be eligible for the practice incentive payments.

I anticipate that more doctors will refuse to visit aged care facilities due to these disincentives.

My same thoughts apply to the very disadvantaged in our community.

From speaking with Dr Anderson we discovered that this is the hard end of medicine. Quite often the patients are unable to articulate any sort of reasonable conversation, let alone bring the $7 required. He said they cannot ask these people for $7, so they will continue to bulk bill even though they will be getting no incentive. This will mean we will have fewer young doctors going into these facilities and vulnerable people not getting appropriate medical advice. We will have less incentive for people to set up and practise in regional Australia.

As I said earlier, Mr Acting Deputy President, both my office and your office have contacted enough people to know that this is a deeply felt issue that is flying under the radar as we speak. We have important business before the Senate—everybody is aware of that—but this issue will not go away; it will be the subject of continuing debate in here. We must not let this co-payment go through and punish people who are suffering from the tyranny of distance. We must not punish people who, at the end of their working lives, are in an aged-care facility and suffering from dementia, Parkinson’s and all sorts of afflictions. They deserve the best Medicare system possible. That does not include a payment up front. It does not include a disincentive for hardworking medical practitioners to go into these two areas of medicine. That is only the tip of the iceberg in respect of this issue. I fully expect that members of the House of Representatives and the Senate will bring many, many more examples to this place and the other chamber clearly articulating the foolhardy nature of this policy. We are going to put the most vulnerable people in jeopardy and we are going to put the most hardworking of
people in a position where they have to question the viability of their practice and the continuity of their commitment in a very difficult area of general practice.

**Senate adjourned at 19:28**

### DOCUMENTS

#### Tabling

The following documents were tabled by the Clerk:

- *Migration Act 1958*—
  - Statements under section 46A—1 January to 30 June 2014 [6].
  - Statements under section 91L—1 January to 30 June 2014 [9].
  - Statements under section 91Q—1 January to 30 June 2014 [7].
  - Statements under section 195A—1 January to 30 June 2014 [57].
  - Statements under section 197AB—1 January to 30 June 2014 [169].
  - Statements under section 198AE—1 January to 30 June 2014 [4].
  - Statements under section 351—1 January to 30 June 2014 [99].
  - Statements under section 417—1 January to 30 June 2014 [28].

#### Tabling

The following document was tabled: