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SITTING DAYS—2016

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FORTY-FIFTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

Senate Office Holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Susan Lines

Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Katy Gallagher

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Liberal Party in the Senate—Senator Hon. Mathias Cormann
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 Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Leader of the Australian Greens—Senator Richard Di Natale
Co-deputy Leaders of the Australian Greens in the Senate—Senators Scott Ludlam and Larissa Joy Waters
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Dean Anthony Smith
The Nationals Whip—Senator Matthew James Canavan
Chief Opposition Whip—Senator
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
### Members 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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**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party; DHJP—Derryn Hinch's Justice Party; IND—Independent; JLN—Jacqui Lambie Network; LDP—Liberal Democratic Party; LNP—Liberal National Party; LP—Liberal Party of Australia; NATS—The Nationals; NXT—Nick Xenophon Team; PHON—Pauline Hanson's One Nation

**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—P Bowen
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<td>Prime Minister</td>
<td>Hon Malcolm Turnbull MP</td>
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<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Cabinet Secretary</td>
<td>Senator the Hon Arthur Sinodinos AO</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Minister Assisting the Cabinet Secretary</td>
<td>Senator the Hon Scott Ryan</td>
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<tr>
<td>Minister Assisting the Prime Minister for Counter-Terrorism</td>
<td>Hon Dan Tehan MP</td>
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<tr>
<td>Assistant Minister to the Prime Minister</td>
<td>Senator the Hon James McGrath</td>
</tr>
<tr>
<td>Assistant Minister for Cities and Digital Transformation</td>
<td>Hon Angus Taylor MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Agriculture and Water Resources</td>
<td>Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td>Assistant Minister for Agriculture and Water Resources</td>
<td>Senator the Hon Anne Ruston</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>Hon Luke Hartsuyker MP</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon Julie Bishop MP</td>
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<tr>
<td>Minister for Trade, Tourism and Investment</td>
<td>Hon Steve Ciobo MP</td>
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<tr>
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<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
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<td>Hon Keith Pitt MP</td>
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<tr>
<td>Attorney-General</td>
<td>Senator the Hon George Brandis QC</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
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<td>Hon Michael Keenan MP</td>
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<tr>
<td>Treasurer</td>
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<td>Minister for Revenue and Financial Services</td>
<td>Hon Scott Morrison MP</td>
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<td>Hon Kelly O'Dwyer MP</td>
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<tr>
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<tr>
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<td>Hon Dr David Gillespie MP</td>
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<tr>
<td>Minister for Social Services</td>
<td>Hon Christian Porter MP</td>
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<tr>
<td>Minister for Human Services</td>
<td>Hon Alan Tudge MP</td>
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<tr>
<td>Assistant Minister for Social Services and Disability Services</td>
<td>Hon Jane Prentice MP</td>
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<td>Assistant Minister for Social Services and Multicultural Affairs</td>
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<td>Hon Bill Shorten MP</td>
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<td>Shadow Assistant Minister to the Leader (Tasmania)</td>
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<td><strong>Deputy Leader of the Opposition</strong></td>
<td>Hon Tanya Plibersek MP</td>
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<td>Stephen Jones MP</td>
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<td>Shadow Minister for National Security</td>
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Each box represents a portfolio except for (1) which is in the Education portfolio, (2) which is in Treasury portfolio and (3) which is in the Health portfolio. Shadow Cabinet Ministers are shown in bold type.
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The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 10:00, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling
The Clerk: I table documents pursuant to statute and returns to order. Lists are available from the Table Office or the chamber attendants.
Details of the documents also appear at the end of today's Hansard.

COMMITTEES
Meeting
The Clerk: Proposals to meet have been lodged as follows:

Environment and Communications References Committee—private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1.30 pm.
Joint Committee of Public Accounts and Audit—private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 15 September 2016, from 10.30 am.
Joint Standing Committee on Treaties—private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 11 am.

The PRESIDENT: I remind senators that the question may be put on any proposal at the request of any senator.

PARLIAMENTARY REPRESENTATION
Victoria

The PRESIDENT (10:01): As Senator Ryan was absent from the Senate on 30 August 2016, I will now administer the oath of allegiance, as required by section 42 of the Constitution. I remind honourable senators that Senator Ryan's certificate of election was tabled on 30 August 2016. Senator Ryan, please come to the table and make and subscribe the oath of allegiance.

Senators Sworn
Senator Ryan made and subscribed the oath of allegiance.

PARTY OFFICE HOLDERS
Australian Labor Party

Senator WONG (South Australia—Leader of the Opposition in the Senate) (10:03): by leave—I advise the Senate that the opposition has appointed Senator Katy Gallagher to the position of Manager of Opposition Business in the Senate, with effect from the meeting of the Senate this morning. I further advise that Senator Chisholm will serve as deputy manager, to assist in managing opposition business. I congratulate Senators Gallagher and Chisholm on their new roles and look forward to working with them, together with the whole Senate team, in continuing to hold this government to account.
GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Consideration resumed of the motion:
That the following address-in-reply be agreed to:

To His Excellency the Governor-General

May it please your excellency—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (10:04): I rise to make a contribution to this debate on the address-in-reply, which plays such an important part in affirming our longstanding parliamentary traditions in this country. This address-in-reply debate comes about because the Governor-General, as the representative of Her Majesty the Queen, comes to this Senate chamber and officially opens parliament after each election. During those formalities we are joined by our colleagues from the other chamber and all of us, no matter what our political colour, join together in this chamber and hear the Governor-General speak. That in itself is a powerful symbol of the Crown being above partisan politics. Moreover, it is a powerful way to acknowledge the traditions upon which our parliamentary democracy rests. The office of Governor-General holds a sacred place at the heart of our democratic system. The Governor-General in Australia is a symbol of the continuity and permanence of the Crown, and I sincerely hope that that forever remains the case.

May I also say what a privilege it is to have been returned as a senator for Western Australia. The federal election held on 2 July this year was the first occasion on which my own name was on the ballot paper. I came to this place first in May 2012 to fill the vacancy left by the passing of my predecessor, Senator Judith Adams. It is worth noting that no matter where I travel across regional Western Australia people still talk in the most glowing and gracious of terms about the contribution Senator Adams made in her time here in the Australian Senate, representing the hopes and aspirations of regional Western Australians.

So as I begin my first term as a senator elected in my own right I would like to thank the people of Western Australia for the faith and trust they have placed in me. I would also like to thank the members of the Western Australian Liberal Party for their continued support and trust. I am a proud Liberal, and I am acutely conscious that I could not do this job without the support of my own political party. I will strive at all times to defend those values that bind Western Australians together: the pursuit of lower taxes, creating job opportunities for others; a strong commitment to federalism; and a belief that, to the fullest extent possible, Western Australians should make their own decisions about what is best for their state and for their futures.

I remain optimistic that what once seemed to be inevitable drift towards centralism can be resisted. That is why defending the integrity of our Constitution and of our parliamentary institutions is of the utmost importance to me. Of course, these are not just Liberal values. I believe they are Western Australian values, and I believe that is why the 2016 federal election campaign again saw such strong levels of support for the Liberal Party in my home state.
There was a lot of procrastination about Western Australia in the lead-up to the federal election. Much of this, it has to be said, emanated from commentators on the east coast, some of whom were very bolshie in their predictions of the electoral outcomes in July—almost as bolshie as senior figures in the Labor Party. We kept hearing in Western Australia about the Labor Party briefing that they were on track to gain four or five seats in Western Australia at the election. We were told that there would likely be a statewide swing against the Liberal Party in the order of eight to nine per cent. We even had Senator Dastyari riding shotgun across the Nullarbor in Bill Shorten's campaign bus to lend his star power to the Labor campaign in the seat of Swan.

Well, I am happy to report that none of it came to pass, not even closely. Once again, the WA Liberal Party proved that it is the best grassroots campaigning outfit in the country. This election was one fought in challenging circumstances for the WA Liberal Party, unlike those in which recent campaigns have occurred. In 2001, 2004, 2007, 2010 and 2013 we were aware that a swing to the Liberal Party was occurring across Western Australia. In politics, historically high levels of support will last only for so long, and WA Liberals knew that this time we were fighting to maintain our ground. Our campaigning team in WA did not disappoint. The national swing against the Liberal Party on primary votes on 2 July was just 3.3 per cent. In Western Australia the swing against the Liberal Party was recorded at 1.6 per cent—about half the rate of the national swing. Western Australia again returned the highest Liberal primary vote share in the nation, with a statewide primary vote of 45.7 per cent. In the end, the Labor Party was able to defeat only one incumbent Liberal MP, in the seat of Cowan. In that instance, the count went right down to the wire, and Luke Simpkins was very much in the hunt for a couple of weeks after polling day as postal votes were counted.

Given the circumstances we faced, this is a remarkably strong result and a tribute to the focused campaigning efforts of Western Australian Liberals and our supporters across the state. Special congratulations are due to our new state director, Andrew Cox, who is fighting his first campaign in that role, having succeeded our former state director, Ben Morton, who is now with us in this building as the member for Tangney. In very challenging circumstances, Andrew Cox proved that he was a very worthy successor to Mr Morton and has set the gold standard for state directors in Western Australia. The WA Liberal Party is fortunate to have such a consummate professional leading our campaign efforts.

I want to focus on two aspects of the WA election result in particular. The first is in the seat of Perth, for which I was patron senator, along with my Senate colleague Senator Cormann, the Minister for Finance. For the first time since 1980, the Liberal Party has beaten Labor on primary votes in the seat of Perth, with our first-preference tally around four per cent higher than that of the Australian Labor Party. In an election where the overall national and statewide swings were to the Labor Party, this is a significant result. For the Liberal Party to achieved a swing on primary votes is a momentous and historical occasion, and it was good to be part of the campaigning with the former federal member for Perth, Mr Ross McLean.

This did not occur through accident or by chance. The strong result for the Liberal Party is a result of having preselected an outstanding candidate in Jeremy Quinn and having run a strong, focused and consistent campaign over the eight weeks leading to polling day. Our local campaign was fortunate to have had the support of key ministers in the Turnbull government, several of whom visited the electorate during the campaign. I was particularly
pleased that the Prime Minister, Mr Turnbull, could find time in his busy campaign schedule in Western Australia to meet personally with Jeremy Quinn to hear about projects that were important to the electors of Perth. Indeed, I am reminded that the Minister for Communications, my colleague Senator Fifield, came to the campaign on a number of occasions to lend his enthusiastic support, which no doubt was among the winning ingredients.

The Perth campaign's strong grassroots approach to campaigning clearly wrong-footed our Labor opponents, and a recurring theme across the federal electorate of Perth during that long election campaign was how ordinary electors in Perth had felt neglected, first by Stephen Smith and subsequently by Alannah MacTiernan. Mr Tim Hammond does have a very strong job ahead of him, if he is to be a successful member for the federal electorate of Perth.

It is telling that at the pre-poll centre in the days leading up to the election Labor was forced to deploy Alannah MacTiernan, forced to deploy the former member Stephen Smith and the state Labor leader, Mark McGowan, in the Perth electorate to shore up Labor's candidates and Labor's failing support. Bear in mind that this is the party that at the start of the campaign had Mark McGowan in Swan and at the end of the campaign had Mark McGowan in Perth. I think that says much about the strength of the WA Liberal Party's efforts across the federal electorate of Perth.

As a party, our challenge now is to continue the work in the Perth electorate so that the gains made in this campaign become the foundation for further success next time. Above all, the Liberal Party in Western Australia owes enormous debt to Jeremy Quinn and his family and his team of supporters. Jeremy Quinn is one of the most outstanding candidates we have had in our party for a long time.

But, moving beyond the federal electorate of Perth, I think it is also worth looking at what occurred across regional Western Australia, especially in the federal electorates of Durack and O'Connor. The election campaign in regional WA was characterised by the WA Nationals making big promises but failing to back them up with any specific details of exactly how they would go about getting a better deal for regional Western Australians in Canberra. For the second federal election in a row, the WA Nationals' hollow and opportunistic approach has been soundly rejected by voters across regional WA. It is a tribute to the effective representation being provided by both Rick Wilson, the member for O'Connor, and Melissa Price, the member for Durack, that both of them achieved significant increases in their primary votes on election day, exposing the hollowness of the WA Nationals' claims about regional WA being ignored by the Liberal Party. Moreover, the WA Nationals' bizarre decision to preselect a serial Greens candidate to head its Senate ticket indeed backfired. The WA Nationals' Senate vote has fallen significantly and it is now at its lowest level in six years.

As we prepare for next year's WA state election the very clear message here is that the WA Nationals can no longer take regional Western Australians for granted. The Liberal Party can absolutely take ground from the WA Nationals by running focused local campaigns that properly address the concerns of regional communities. And the way we do that is by demonstrating that, while other political parties talk, the Liberals can actually deliver.

In that connection I would like to say a few words about some of the commentary that has abounded over the past few days regarding the Turnbull government. The latest 'gotcha' game in politics, it seems, is to ask people to name the Turnbull government's achievements, as it is
just 12 months this week since the Prime Minister came to the leadership of the Liberal Party. The thing is, this is not new. I will recall the same sorts of games being played after Mr Abbott had been in office, and Labor and the Greens had spent that entire time blocking the government's agenda in this chamber. I recall the same thing being said about Julia Gillard a year after she took over as Prime Minister. The only thing people could point to was having lost Labor's parliamentary majority and having introduced a carbon tax that she swore she would not introduce. I recall the same complaint about Kevin Rudd—that aside from the 2020 Summit meeting, and having spent a lot of money, there was not much to show for his first year in office.

I think it is worth sharing with the Senate a couple of other observations I found in preparing for this contribution over the weekend: 'There is more to political honesty than living up to a raft of focus group driven election promises. It includes following up on election promises to repair the key structural weaknesses in Canberra's economic management, explaining to voters along the way the longer-term costs of not doing so.' And then there is this quote: 'The federal government is a far cry from what many of its supporters expected. The business community, for example, complains about the slow pace of reform.'

The first of those quotes is from The Australian Financial Review of 3 March 1997, and the second is from the NT News—I do not often quote the NT News in this place, but on this occasion I will—of 1 March 1997. Both are about the Howard government, which was marking its first year in office. You are beginning to sense the pattern I am trying to paint. It seems that using the first anniversary of a government to goad it about its lack of achievement has become a national sport. That is not a complaint; it is just how things are. But it does not make the charge accurate.

Indeed, the Turnbull government does have some significant achievements. If you are a Western Australian, the Prime Minister's announcement that this government is going to implement a floor below which no state or territory's level of GST can fall is significant, is an achievement. No other Prime Minister has done it previously. If you are a South Australian worker, this government's investment in your state in steel, in defence industries, which are also important to Western Australian workers, is significant. It is an achievement. If you own and operate a small business in our country, the government's changes in relation to section 46 of the Competition and Consumer Act are significant, are welcome, are an achievement. We know that this reform will help Australian businesses to flourish, enable new and innovative firms to get started and help new technologies to be introduced, and it will ensure that consumers can receive the best-quality products and services at the lowest price.

In November last year the government announced its response to the competition policy review, known as the Harper review. The government's response set out a competition agenda that will boost innovation, open up new markets and ultimately lead to increased choice and better services for consumers. Better prices for consumers, more choice, more growth opportunities for small businesses: these are not minor considerations. And the government is continuing to tackle the task of budget repair—something on which those opposite remain spectacularly unhelpful. But reality is starting to catch up with them. The Australian people are beginning to accept that this task cannot be delayed any longer, and the attempts by the Leader of the Opposition at misdirection—banging on about banks and the evil of the big end of town—are ringing more hollow than ever.
So, as we reflect this week on the anniversary of Mr Turnbull’s ascension to the leader of the Liberal Party and to the Prime Minister of this country, I think it is important to be circumspect when discussing success so far and achievements to date. It is true that in this country at the moment it is very hard to please everybody all the time. But the government has been able to meet the needs, challenges and demands of particular parts of the Australian economy. As I said, support for section 46 reforms, supported by the small business community, as well as GST distribution reform and the establishment of the principle of a floor in the GST distribution arrangements, are very welcome initiatives—achievements—that are important to the Western Australian community, and support for Australia’s defence industries and for workers in those industries in South Australia is very important for South Australians.

When you scratch the surface, there are indeed reasons to be positive about what the Turnbull government has been able to achieve thus far, in the first 12 months of his tenure. It is important to note too that in previous governments, under previous prime ministers, it has been commonplace—it has become a national sport—to try to decry those achievements over just one 12-month period. We must remember that governing is difficult. But if we are to reflect on what achievements might be possible, on what we might be able to foresee into the future, then this Senate chamber will have a very important role to play in making sure that it does its bit, primarily on the issue of budget repair. As Glenn Stevens remarked as he came to the end of his tenure as Governor of the Reserve Bank, and as Mr Costello, the former Treasurer, has remarked, the challenge facing this country is real. The challenge facing this country is stark, and it is very important that we as a Senate chamber put our mind to finding the consensus that is going to move this country forward so that we are able to tackle the task of budget repair and to repair the financial position of this country—not for ourselves, and perhaps not even for our children, but for their children—and the consensus that this country cannot continue to afford the largesse that it has enjoyed over such a long period of time, that the challenge of fiscal repair is stark, that the challenge of fiscal repair is real.

Even if we do not want to wake up to that claim in this Senate chamber, we cannot ignore the fact that out there in the community more and more people—whether they be in the small business community, whether they be commentators, whether they be the Governor of the Reserve Bank or the former Treasurer—are now coming to the conclusion that fiscal repair for this nation is demanded. And that is a responsibility that we have in this Senate chamber: that in 12 months time, when we come to reflect on the success or otherwise of the Turnbull government, part of that responsibility, part of that success, could be attributed to an opportunity in this Senate chamber to find consensus. It has been done before. It is worth noting that the success that is often remarked in relation to Paul Keating and Bob Hawke was a success to which John Howard, as shadow Treasurer, contributed, putting the opportunity of partisanship aside to support some of the important reform initiatives that both Mr Hawke and Mr Keating were able to deliver that have ensured that our country has continued to enjoy high levels of prosperity over the past 20 or so years. But those high levels of prosperity cannot be taken for granted. The onus is on all of us to do what we can—(Time expired)

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (10:24): It is an honour to be re-elected as a senator for Queensland and to represent the people of Queensland in this august chamber. I am also humbled to have been reappointed by the Prime
Minister as his parliamentary secretary, or assistant minister. It is an absolute privilege to be part of the returned Turnbull-Joyce government—the coalition government—the only team in this place with a plan to provide jobs and growth and a secure future for Australian families.

But before talking about what happened during the election campaign, I want to touch on something that is very close to my heart, and that is the national flag of Australia—our flag. On 3 September it was National Flag Day, and that was a day to celebrate the anniversary of our Australian national flag. For the past 115 years our flag has accompanied Australia on its journey of nationhood, a symbol of our historical ties and a symbol of our achievements. On 3 September in 1901, at approximately 2.30 in the afternoon, a new Australian flag, featuring stars and crosses, was hoisted for the first time above the Royal Exhibition Building in Melbourne, which was the site of our first federal parliament. Prime Minister Edmund Barton announced it as the winning design of a competition which attracted more than 30,000 entries worldwide. Four Australians and one New Zealander were pronounced joint winners of the competition. One was a well-known female artist from Perth, one a Melbourne schoolboy of just 14, another an 18-year-old optician's apprentice, one an architect and another a first officer with the Union Steamship Company of New Zealand.

They were from different backgrounds and had different skills, yet those different perspectives led them all to a nearly identical design combining the Southern Cross and the Union Jack. Even before this competition, Australians had begun to raise unofficial flags, often featuring the Southern Cross in place of the Union Jack. They wanted a flag that would represent them and their fledgling nation, a flag that would unite all Australians. Today our flag is part of our identity as a nation. We are a country with a diverse population, yet the flag connects us all. We express pride in our country with it. Wherever it is flown, it signifies to others where we live in the great land under the Southern Cross.

Last night I was watching Last Night of the Proms, which is one of my favourite TV programs every year. It is a fantastic music spectacle.

**Senator Fifield:** There's no surprise there!

**Senator McGrath:** There is no surprise there. It was a fantastic spectacle. And it was great to see that in this huge mass of people in the Royal Albert Hall you could see the Australian flag flying proudly—not just once, not twice, but numerous times you would see the Australian flag being hoisted aloft by Australians enjoying the best of British music that is around.

We raise the flag in triumph at sporting events, we wear it on T-shirts and we paint it on our faces to let the world know who we are cheering for. With the Olympics having only recently wrapped up in Brazil, the first time an Australian flag flew at an Olympics was at the St Louis games in the USA in 1904. In that year the Australian team had a whopping total of one athlete! The first time it was raised to celebrate an Olympics medal win was at the London games in 1908, for our Rugby team. Our flag is displayed as a mark of respect and remembrance for our service men and women who have served under it; 1914 was the year the new Australian flag was first flown in an act of war, when it flew over the army fort at Queenscliff, Victoria, when the fort opened fire to prevent a German steamer from leaving port. One flag fact which is particularly close to me, as my great-uncle was a prisoner of war in Singapore during World War II, is that our flag was the first flag of freedom to fly over
liberated Singapore in 1945. That particular flag was one secretly made by prisoners of war in a prison camp.

The Australian flag is our foremost national symbol, a symbol of a peaceful, democratic and just country. It has been a constant while our society, our nation and our world has undergone monumental change. So, not just on National Flag Day, which is 3 September, but on all days I would urge all Australians to fly the flag, to be proud of the flag for what it represents for all of us Australians.

I now want to touch upon the election campaign, and I am going to focus particularly on Queensland. I am a Queenslander first and an Australian second, and I am very proud to say that, in Queensland, the coalition—or the Liberal National Party; we are one party in Queensland—received 54 per cent of the two-party preferred vote, a very strong endorsement in Queensland of the plans and the policies of the coalition government. It was a very strong endorsement of the plans and policies of Malcolm Turnbull and Barnaby Joyce to build a strong Australia, focusing on jobs and growth. At the election, we returned 21 members out of 30 in the House of Representatives, a very, very good result. Sadly, two members who are good friends of mine were not returned: Wyatt Roy and Ewen Jones. They are very different people, but both were united in their desire for a strong Queensland and united in their desire to ensure that their areas, areas that in many aspects have been doing it tough, received the eye of Canberra.

I want to talk about Wyatt. Wyatt, when he was first selected and then elected as the member for Longman back in 2010, was the youngest member ever to enter either chamber, the Senate or the House of Representatives. It is fair to say that many people held Wyatt's youth against him, particularly those from the left of politics, who have quite a patronising approach to youth. Those on the left of politics think that young people are drawn to so-called progressive politics because that is what the young always want to achieve. But Wyatt, I suppose, disappointed the left in that he put forward the idea that young people were attracted to and could deliver on the notions of a smaller government, of lower taxes and of greater freedom. In his six years as the member for Longman, Wyatt delivered massively for the electorate. He delivered for the suburbs of Caboolture and Morayfield. He delivered for Bribie Island. He delivered for Woodford. He is someone whose edifice will be felt by generations to come. The work that he undertook with neighbouring MPs and with the coalition government from 2013 included delivering on the D'Aguilar Highway and the Bruce Highway upgrade and the work he did when Caboolture was hit by floods about 18 months ago. Wyatt will be missed by the people of Longman. In a conversation with him the other day, he mentioned that he could come back into politics in 10 years time and would only be 37. Needless to say, I punched him! Wyatt is someone whose best days are still ahead of him. What he achieved for Longman shows what he can achieve for Australia. I wish him the best.

Ewen Jones is probably the funniest man alive. I was his campaign director—as well as Wyatt's, actually—back in 2010. After I had a couple of meetings with Ewen, I realised he was extremely funny and I issued an edict to him as his campaign director. That was: please, stop making jokes because the left do not have a sense of humour and they will not see that you are just a funny person; they will use political correctness to attack you. The good thing is that Ewen totally ignored me and continued making jokes. I suppose a good thing and a bad thing about Ewen is that, as this larger than life, funny person, people often mistook him or
failed to see that underneath Ewen's skin is someone who strongly believes in the concepts and the power of the individual and of liberalism. He often upset his own party with his views.

What I liked about Ewen was that his ideas about liberalism did not come from a university textbook or from being involved, as I was, with Liberal students or the Young Liberals. His ideas about the individual came through the university of life. This is someone who was a single father who moved to Townsville about 20 years ago to restart life. He is someone who understands what it is like when you go to Coles or Woolies and you wonder whether your card is going to allow you to buy food that particular day. He comes from the university of hard knocks. And it was because of that that he was so particularly forthright in his views. And I think the seat of Herbert and Townsville will be the poorer for his loss. And I can say to the voters in these seats—and voters always do make the right decision; I am a strong believer in democracy—Ewen and Wyatt were strong advocates for their particular seats.

Senator Macdonald, my colleague to my right here, has been in this place since 1990. His office is in Townsville. He is the uncrowned king of the North. He has said that he has never seen Townsville receive so much support from a federal government as it has under this government that was elected in 2013. That is due to the work of Senator Macdonald. It is particularly due to the work of Ewen Jones and his forthright advocacy for Townsville and for the greater region. Whether it is the stadium, whether it is the rail line extension, whether it is the fantastic multibillion-dollar deal with Singapore that will enhance the regional economies of Townsville and Rockhampton, Ewen Jones should be very proud of the work he undertook in the six years that he was in this parliament. He is missed and, like Wyatt, I hope he does come back, sooner rather than later, because this place is a lot quieter and there is a lot less laughter in this place in Ewen's absence.

Also in Queensland we lost Senator Lindgren who, sadly, was No. 6 on our ticket. Senator Lindgren had been here for only a short period of time. She is someone who travelled throughout the state and brought with her a perspective on Queensland that added to the senators' team. She is a teacher by training. Neville Bonner was her great-uncle. She was our second Indigenous senator from Queensland, following in her great-uncle's footsteps. Joanna was a strong voice for those who were less well-off. She is someone who comes from southern Brisbane, someone who understands what it is like to deal with children who come from a background that is dissimilar to that of many people who happen to live in this place at the moment. Senator Lindgren is someone who will be missed and someone who I hope will return to this place sooner rather than later.

One of the things I will touch upon is the Queensland Liberal-Nationals Senate team. The members of this team are all very different people. You could not get two more dissimilar people than Barry O'Sullivan and myself, or myself and George Brandis. We all come from different backgrounds. What is interesting about our team is that we have not been chosen by factional lords; there is no deal like that. The LNP is a particularly strong and vibrant democracy. We have 14,000 members who choose who will run on behalf of the party in its state seat, in the federal seat or in the Senate. We do not have factions. If you join our party and wait for 12 months you can vote in your local preselection. I know that in some other divisions of the Liberal Party across Australia the idea of what are called plebiscites is quite
controversial, but we have that in Queensland and it works perfectly well. The party, through this democratic process, chooses people who represent all of Queensland.

I look at our team of senators. We have Ian Macdonald, who comes from Ayr, a local solicitor and former councillor elected to this place in 1990. His office is based in Townsville. All of us LNP senators in Queensland have a physical office—mine is in Nambour—but our real offices are where we happen to be that day. The LNP Senate team do a horrendous amount of travel around the state. Ian Macdonald is always travelling over North Queensland. Senator Canavan is now in the cabinet. His office is in Rockhampton and he lives in Yeppoon. He takes a very strong interest in Central Queensland. We had a particularly good result in the federal election, with Michelle Landry and Ken O'Dowd holding tough seats. Against a ferocious, unruly, disgraceful, despicable, disgusting campaign by Labor and the unions, Michelle Landry and Ken O'Dowd were able to hold those seats, and Senator Canavan certainly deserves credit for assisting them.

Senator O'Sullivan is based in Toowoomba. I call him the senator for the great west. He knows so much about Western Queensland, particularly about our farming and agricultural sector. Senator O'Sullivan speaks a language that I think is dying in Australia. I call it 'old Australian'. He has the best turn of phrase of anyone in this chamber. I am slightly terrified of Senator O'Sullivan—please do not tell him this—because he is a former Queensland policeman and I do not really want to end up in the boot of his car! But Senator O'Sullivan is a massively strong voice for rural and regional Queensland. Senator Brandis is Leader of the Government in the Senate and, I think, the first Queenslander to hold that position for decades. An amazing intellect, he is based in Brisbane and is probably the most intelligent Attorney-General we have seen in Australia for a considerable period of time. And, of course, we have yours truly, based in Nambour, on the Sunshine Coast. The five senators we have in Queensland are all very different people and provide a very strong level of service to the people of Queensland on behalf of our party, the Liberal National Party.

The Liberal National Party is a fantastic party. I love my party. If there was a party that I had to design and it was not to be called the 'James McGrath party', I would design a party called the Liberal National Party. It has the best of liberalism and the best of nationalism, or of the Nationals, as such. We are a very strong, hardworking election machine. Our new president, Gary Spence, along with the vice-presidents and the other members of the state executive, all elected by the party members, have a particular viewpoint on why we exist as a political party, and that is to fight and win elections to implement our manifestos.

We can do that because we have wonderful volunteers, who humble me every time I speak to them—I get paid to do this and the volunteers in the Liberal National Party do not get paid. To those who worked on the election campaign in 2016, thank you for your support. To everybody at headquarters, led by Michael O'Dwyer, Lincoln Folo, Ben Riley, Rebecca Docherty and Angela Awabdy, thank you for your support and for what you did to return 21 out of 30 members and five senators, with the Liberal National Party receiving 54 per cent of the two-party preferred vote in Queensland.

Queensland is a strong bastion of support for Malcolm Turnbull and for Barnaby Joyce. We understand that the economy of Australia is far too important to be left in the hands of reprobates and union thugs like Bill Shorten and the other members of the Labor shadow
cabinet. Australia deserves better. It has got better under Malcolm Turnbull and Barnaby Joyce and will continue to grow.

The DEPUTY PRESIDENT: Senator McGrath, I remind you to please refer to members of the other place by their titles.

Senator McKENZIE (Victoria) (10:45): I would like to congratulate you, Senator Lines, on your ascension to the role of Deputy President. I am sure you will do your party and the Senate proud. We have particularly noticed the change in demeanour during question time as you put forward a bipartisan approach, which obviously our President and Deputy President need to have so that all senators within the chamber can be assured of your consistent approach in the application of the standing orders so that we can debate appropriately here.

It gives me great pleasure to rise today to give my contribution in the debate on the address-in-reply to our Governor-General's address at the start of the 45th Parliament. And what a day that was. We had gun salutes, we had the Governor-General, we had the House of Reps coming and going, we had new senators sworn in. And how different our chamber looks as a result of the people's choice for Senate elections this particular parliament. But it gave me great joy. It is incredibly humbling to be re-elected as part of the coalition team as the Nationals senator for the great state of Victoria, where I think it is fair to say we had a ripper result. Victoria has returned five coalition senators, which is an incredible result. We are very excited to see Senator Jane Hume get our No. 5 result and to see Ministers Fifield and Ryan returned, as well as to see Senator Paterson, who is already making such a strong contribution to the chamber and to the parliament in the time he has been here, returned. I obviously am the one National in that coalition team, and we work very cohesively across the state of Victoria to ensure that the needs and interests of not only those who live in Melbourne but those who live outside the capital city are represented in this place.

Victoria has had a strong manufacturing base in terms of its industries over its history, and it started out as a fantastic mining state, with the gold rush. But today our major industries—we are a huge exporter in agriculture, particularly fruit and horticulture from the Goulburn Valley, but we are definitely the powerhouse for the dairy industry and the export of that product to the ports and the communities around the world. It is fair to say that through the election campaign, campaigning in regional Victoria as I was, we heard quite a lot—and fairly so—from the dairy industry and their representatives about the crisis, particularly with the decision by Murray Goulburn and the subsequent decision by Fonterra not only to drop the milk price but to actually seek to claw back some of that in the forward year, which caused some significant angst and a lot of issues for our dairy farming community in the north-east and the west.

We are also a state that prides itself on delivering high-quality international education to so many young people, particularly, from our region. It is one of our greatest exports as a state, and I think it is an area that we can continue to grow in. I look forward to getting more of those young people from around the world studying at those institutions, not just in Melbourne but out into our regional capitals as well, and experiencing some of the cultural activities that are sometimes different between the urban and the rural experience in Victoria.

I think it is fair to say when we look back on the election campaign that the Nationals in Australia had a fantastic campaign right throughout the country. We were able to see all of our members returned, despite a swing away from the government during the election.
Members like Michelle Landry and like Kevin Hogan, on very thin margins in their seats, showed the worth of being connected to your local community, of representing those views in this place and of having a very sharp understanding of how to translate, if you like, sometimes the macro complex conversations we have here into language and policy initiatives that everybody can understand and appreciate and see value in, and that is why they were returned. So well done to the National Party team.

We said goodbye to a couple of great Nats. Bruce Scott, the former member for Maranoa and Deputy Speaker in the other place, is no longer with us, but I am sure he and his wife, Joan, who gave so much to public life, will continue that contribution in Queensland and internationally as we go forward. We wish them all the very best.

We also had all our senators returned. Senator O’Sullivan, from Queensland, who now chairs the Rural and Regional Affairs and Transport Legislation Committee, is a great advocate for issues around rural and regional Australia and is not afraid to make his opinion on any issue very fairly and squarely felt and heard. I congratulate Senator John Williams, from New South Wales, on his election to the office of Nationals whip here in the Senate. I am very excited about it because he is actually a great whip. He has that wonderful capacity to be across the detail of legislation. He is connected and communicating with us regularly so that we are where we are supposed to be, when we are supposed to be there, but he also has a great approach to pastoral care, which I think is so important for whips in this place. Obviously, there is Senator Canavan—what can I say? What a rise he has had to the cabinet. He is an absolutely worthy candidate to sit there in his new portfolio as Minister for Resources and Northern Australia, which he cares deeply about and has a great contribution to make towards. Congratulations to Matt on his re-election.

Our deputy leader, Senator Fiona Nash, has been such a trailblazer when it comes to female representation in the Senate and in the National Party. She supports both Michelle and I incredibly, as well as other women, particularly in New South Wales. She has been championing fifty-fifty representation between men and women in her home state’s organisation and I wish her all the very best with that. Her performance during the election in the regional development portfolio was fantastic. She was everywhere. Our leader is Nigel Scullion, from the Country Liberal Party. He does absolutely brilliant work in the Indigenous affairs portfolio. He is a strong Nat and a deep thinker—you would not think it, but he actually is. We have a great team here and I am looking forward to growing that over coming years.

Going to the National Party’s result in Victoria during the election, we saw the return of another cabinet minister, the Minister for Infrastructure and Transport, Darren Chester, from Gippsland. Darren has a deep passion for road safety and ensuring that our commitment to infrastructure is rolled out in an equitable way and that the regions also receive a fair lick of that commitment. He has been great in that portfolio. He also gave significant support to other candidates, particularly in Victoria, and I know Damian Drum will attest to Darren’s assistance throughout his own campaign in Murray. Before I finish on Minister Chester, I do not know how it is possible to increase your margin in a place like Gippsland, but he managed to do it. So well done to Minister Chester. Indeed, Andrew Broad, in the great seat of Mallee, another cornerstone of the Victorian National Party heartland, also held his seat. Mallee is
very different from Gippsland. They are probably two extremes of electorates in my state, but Andrew also was able to increase his vote, so well done to him.

We ran in four other seats in the state of Victoria. We ran in Bendigo, Ballarat and McEwen—bearing in mind we had not run in Ballarat at a federal election for over three decades. We had a great candidate there, Paul Tatchell, who was the Mayor of Moorabool Shire and is a great local advocate and local champion for that area, particularly around Ballan. It was through my interactions with Paul that I was able to meet with the Ballan Country Fire Authority volunteers during the election campaign. They called a few different brigades together and we were able to discuss their concerns about the state Labor government's decision to bully their own ministers, bully the CFA board and bully the former CEO of the CFA, Lucinda Nolan.

So, it was great to actually get that on-the-ground knowledge from those CFA brigades about their view of the EBA being put forward—how it would affect emergency service provision in regional Victoria particularly. And I think more damaging for them was what it did to the relationships between them and the paid firefighter group. These are two groups who are fundamental to the provision of emergency services in my home state, and it is imperative that they are able to work together cohesively and collectively, and this particular issue is incredibly divisive for the culture of the firefighting organisations and their capacity to work together in times of stress.

In Bendigo we ran Andy Maddison, a stock and station agent and a very strong advocate for typical National Party values. He was very well received, and I am sure he is looking forward to staying involved and having his say over future election campaigns. And in the seat of McEwen we ran Andrew—his name will come to me! He runs a stock feed store in—sorry, Madam Deputy President; it is a place starting with T, just down from Yea and Seymour. He and his young wife have just opened that business. He has left a corporate job in Melbourne and returned to the country—Tallarook!—to start in small business, and he is doing a fantastic job there and really bringing forward the conversations around the National Party, again around the CFA, again around regional development, and I am sure he will stay involved.

But the great story for the Nationals, other than winning back the seat of Murray after 20 years of its being in Liberal Party hands, was running in the seat of Indi, where Marty Corboy was our candidate. He is a father of seven and working in the family business. He spent the last year doorknocking Wodonga and being a very strong advocate for small business and for National Party values in that seat. It was tough. It always is tough to fight against Independents, such as Cathy McGowan, who solidified her hold on that seat. And I know that the Liberal Party's candidate, Sophie Mirabella, who had been a long-term occupant of that seat, similarly fought a very hard campaign. But Marty chose to go to the people with a positive face and a positive message for the coalition voters, and he was roundly rewarded with an 18 per cent primary vote. So, well done to Marty—and to all our volunteers right across that seat. It stretches from Wodonga down to Benalla and up into the Alpine National Park, and really he did some miles during that campaign.

Senator Payne: James Anderson!

Senator McKENZIE: Thank you, Minister—James Anderson, in McEwen, owning the stock feed store in Tallarook. Anyway: the three-corner contest in Murray was absolutely
totemic for the National Party in Victoria, to win that seat back. And I know Damian Drum, as the local member, will do an absolutely fantastic job in representing that community and their needs and interests in this place. He has a strong sense of community. He was born in Congupna, just down the road from Shepparton—but don't try to tell him he's a Shep boy; he's very much a Congupna boy. He went on to play AFL for the Cats—the mighty Cats. Thank you very much for that result on Friday night.

Senator Payne: Go, Cats!

Senator McKENZIE: Go, Cats! And he has obviously done a lot of work back in the community, using sport as a facilitator of social cohesion and to break down barriers.

What really resonated on the ground in regional Victoria for the National Party was our commitment to ensuring jobs in local areas. Our voters out in regional Victoria were not concerned about a whole range of issues that maybe those voters in Brunswick were. What they wanted to know was whether we were going to get the economic settings right to ensure that their communities could grow and prosper, not only in their traditional industries but also in the new industries and the adapted industries of tomorrow, so that their regional communities would not be left behind in the 21st century but would grow, prosper and provide jobs for their young people. As we know, whilst nationally our unemployment rate is not bad, it can be incredibly high in certain regional areas for our young people. That is why the National Party under Senator Nash developed a specific, targeted regional jobs program that will be trialling local initiatives developed on the ground. One thing we do know in the National Party is that a 'one size fits all' policy does not work. People out in the regions, from Echuca to Eildon, were very keen to hear how we as a government were going to assist them to grow jobs and maintain the jobs that they already had.

These people were also concerned about the provision of education and how their children would be able to access university. We hear this time and time again: many families in the regions have to stump up upwards of $30,000 per child per year for their young person to shift away to the city to take up their choice of university degree. These families in typical households—a police officer and maybe a mother who might work part time as a nurse—were unable to access any support to assist with that additional cost, which only went up as you had more children going off. We were able to deal with that issue. We were able to offer a package at the election campaign that went part way to assisting those families. I am very proud to have been part of that.

To enable people to access education and all the opportunities of the 21st century and overcome some of the challenges they face, we need to ensure that we are providing digital infrastructure out in the regions. Our government is not just getting on with the NBN; it is providing a suite of technology options to ensure that every Australian can have access to that digital technology. When we were travelling around during the election, we heard so many times about young people at the local state school who, by the time they got back out to the farm to do their homework, did not have enough internet or they had used all their download for that week et cetera. That was really making it hard for them to achieve in their secondary school education, and that had a flow-on effect on their ability to undertake tertiary study. There is a whole suite of options there, and I know our mobile black spot program is just so welcome out in the regions. We have to ensure that country Australia has access to the same sort of technology, the same sort of provision of services, that is available in our cities.
I would also like to thank the ministers in the National Party who assisted us in Victoria during the election campaign. Minister Barnaby Joyce was down there several times, going through the seat of Indi and the seat of Murray, making significant announcements and making sure these communities understood our commitment and our promise to them and our pact with them. I have already mentioned Darren Chester. Fiona Nash made regular visits to all of the electorates that we were fighting in during that campaign—again, specifically Murray and Indi—and her presence was very much appreciated. Michael McCormack came down and, in his former role, looked at defence manufacturing industries and the local jobs that they provide out in regional Victoria. Also, Keith Pitt, who at that time was assisting the Deputy Prime Minister, talked about the agricultural programs and the Landcare issues that we were championing. All in all, the Victorian Nationals had a fantastic election campaign. I am very proud of all of our candidates and particularly of our volunteers in the National Party. We turn 100 this year; we had our centenary last month. We are still going strong and we are still standing up for regional Victoria. I would just like to thank our president and all of our organisation for getting behind our candidates and our members and senators and ensuring that we had the support we needed to represent them and our values in this place.

The DEPUTY PRESIDENT: Thank you, Senator McKenzie, and thank you for your congratulations.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Social Services and Multicultural Affairs) (11:04): Can I start, as I think all of us in this place should, by thanking my electors—the people of the ACT—for their re-endorsement at the election. It is a great honour to be elected to serve the people of the Australian Capital Territory. It is a great honour to serve such a wonderful city, such a wonderful community—the community that I have called my home for all of my 39-odd years. It is a great pleasure, and I thank all of those who gave me their confidence at the election. It was great to see a swing to us here in the Senate in the ACT, and I think that that was the result of a lot of hard work by a lot of people over a long period of time. Certainly I am very grateful for that endorsement, and it is one that I do not take for granted. I want to continue to work very hard to advocate for a great city and a great community. I thank the people of Canberra again for the opportunity to do that over the next three years.

I would like to note also that we did not just have a swing here. Our main rivals, I guess, for the seat in the Senate here in the ACT—the Greens—had a swing against them for a second time in a row, which has put a significant distance between us and them. I think that that is a response to some of the policy offerings of the Greens. Certainly I would hope that it is a response to some of the positive policy offerings and implementations that we have been able to deliver nationally and, of course, for the people of the ACT in particular.

I take this opportunity to acknowledge a couple of our House of Reps candidates and our second Senate candidate here in the ACT. Jessica Adelan-Langford did an outstanding job in the seat of Canberra. She bucked the national trend by a fair way. The swing against the Liberal Party here was about 0.95 per cent, which I think is a very good effort. Jessica is standing in the ACT election as well, and I wish her well. She is one of the 11 female candidates, out of 25, put up by the Liberal Party for the ACT election. That is 44 per cent, without a quota. That is something we are very proud of, and it comes from having a very democratic party, where people from a diverse range of backgrounds feel welcome and feel
able to contribute. So I wish Jessica well in the upcoming ACT election, which is a little under five weeks away.

Robert Gunning was our candidate in the seat of Fraser. Robert worked extremely hard and also had a very strong result which bucked the national swing. So congratulations to Robert on an outstanding effort. My second Senate candidate, Jane Hiatt, who is well known, particularly in the south of Canberra, is a small business owner and someone who is particularly involved in her community. Jane is just one of those infectious personalities and everyone who meets her likes her. She is one of those people who does great things wherever she is. She took on the seen-as-unwinnable second Senate seat, but she did not see it in that way. She certainly worked very hard to promote the Liberal cause during the campaign, and I congratulate and thank her for it. In addition, we have some amazing volunteers, led by party president Arthur Potter and so many others. Arthur does an outstanding job leading the ACT Liberal Party, and I congratulate and thank him for his work.

Just briefly, before I go on to some national issues, I would like to talk about a couple of the key policy offerings that we are delivering for the people of the ACT. The $76 million lake clean-up is very, very important. There is no doubt that, as an environment issue, the quality of our waterways here in Canberra leaves a lot to be desired. The $76 million that the coalition is delivering for the clean-up of our waterways is something that I am very, very pleased with. I had significant feedback from the community about the importance of cleaning up Lake Burley Griffin, Lake Tuggeranong, Lake Ginninderra and the waterways, ponds and streams that run into those waterways. These waterways should be a jewel for the ACT. In some cases they are, but there is a long way to go to make them better. This really significant investment from the Commonwealth is something that I think has been very well received.

I would like to also make mention of one of the promises we took to the election, which is that for the first time we will see a Commonwealth government office relocated to Gungahlin—the growing town centre of Canberra. I think this is a great result. This was not delivered by the previous Labor government, even though they occasionally talked about it, and this is something that we intend on delivering on in this term. It will be a great boost for that town centre. It is great to have the, I guess, anchor tenants. That is why it is so important. That is why I worked very hard to make sure that the Department of Immigration and Border Protection stayed in Belconnen and the Department of Social Services, which has a new building being constructed at the moment, stayed in Tuggeranong. Those departments are very important to the town centre model here in the ACT. Economic growth does flow from those areas. It is important for small businesses but it is also important for the liveability of a city. It is great to have job opportunities close to where people live. It certainly fits in very well with our broader cities agenda and what we would like to see nationally, in ensuring that people have genuine, real job opportunities close to where they live and so not everyone has to go to the CBD necessarily. So I think that is a great result.

One final one I would like to mention in speaking on some of the local issues is in relation to the planning reforms which we completed just before the end of the last term. I congratulate Minister Fletcher and his predecessor Minister Briggs in the portfolio for significant planning reform of the National Capital Plan. This is of course the document that governs planning in the ACT and under which the ACT government's rules and the Territory Plan sit. We have cut a lot of duplication and we have opened potential new areas for
affordable housing, which I think is critically important. This is, in my opinion, a far better way and a far more sustainable way of dealing with housing affordability than the Labor Party approach, which is to make everyone's asset lower, when it comes to their house, through Labor's proposed negative gearing changes.

The much better response is to actually provide land so that people have the opportunity of an affordable price to buy a home or a rent home in Canberra or anywhere else in the country. That is something that so many state and territory governments, particularly Labor state and territory governments, do not seem to have grasped. Here in Canberra there is a particular problem, where the Labor government are a monopoly provider and developer. They have squeezed land supply to the extent where we are now seeing on the outskirts of Gungahlin, in Throsby, $1,000 a square metre blocks in greenfields developments—$1,000 a square metre. That is not affordable housing, and that is not what you would expect when the ACT government say that part of the reason for them having so much control is so they can deliver affordable housing options. Well, they have not done that. The National Capital Plan changes are a significant push in the right direction and hopefully will lead the way for other responses from the ACT government and other state and territory governments.

There is no doubt that what we saw nationally at this election was a continuation of a massive difference in approach between the coalition and the Labor Party, and I want to go to some of those key differences. It was not that long ago—probably only 15 or 20 years ago—that people used to say, 'There isn't really that much difference between the major parties; they pretty much agree on so many things.' When it came to the economy, we certainly agreed on more when people like Paul Keating were in government. We certainly did not agree on everything, but there was a range of things that we did agree on. Part of that was about the importance of economic growth. That seemed to be bipartisan back then, but it no longer is. The Labor Party have abandoned any pretence that they support policies which lead to economic growth.

The Labor Party's policy platform these days consists of higher taxes on business, higher taxes on individuals, higher taxes on electricity, more regulation through things like a 50 per cent renewable energy target, a tolerance of union corruption in almost whatever form we find it—and certainly in the construction industry. We know the impact that has on our economy. One of our biggest industries, the construction industry, which is about eight per cent of our economy, is weighed down by union corruption. That is something we are seeking to deal with through things like the ABCC, which we took to the election and received an endorsement for, as we were re-elected to government. We are looking forward to the opportunity to bring that reform to the parliament and have it passed by the parliament, because it is a critical reform.

So whether it is the economy, attitudes to small business, attitudes to budget repair, attitudes to union corruption or attitudes and policies on border protection, there is a significant and gaping difference between what the coalition offers and delivers, and what the Labor Party is now offering in its policies. We know what it delivered when it was last in government—massive debt and deficit, open borders, a slowing economy. We have seen it before. We saw what happened. Of course, the Labor Party abolished our union watchdog—our building industry watchdog—and we see what happened on our construction sites. So we see a very clear difference.
I want to go to some of those economic indicators which show that difference. This is a government focused on growing the economy and providing jobs to Australians. We do it in all sorts of ways. We do it by cutting taxes for small business. We do it by cutting red tape. We do it by increasing productivity measures, including things like the ABCC. And we do it through things like free trade agreements, which are a key part of our economic future, as we see the opportunities in our region changing. The opportunities in our region are changing, and we need to be responding to them. People talk about the mining boom being over. That is not quite right, but the mining boom has moved to a new phase. We are seeing a different phase of significant mining exports, but we are not seeing the same sort of construction boom and investment boom that we saw over the past decade or so. But, as we see the transition, that is a reflection that our key trading partners are changing what they are consuming. They have had massive construction phases, particularly in places like China. We are seeing that the massive Chinese middle class, the growing Indian middle class and, of course, the existing strong economies like Korea and Japan have a strong demand for our services, in particular. The free trade agreements go to that point. That is where they are going to be so critical to economic growth.

Just look at the figures. Real GDP grew by 0.50 per cent in the June quarter and a strong 3.3 per cent through the year. This puts us right up near the top of developed economies. That is something we should be very proud of. When we see those kinds of figures and when we see that over 200,000 jobs have been created in Australia over the last year under a strong coalition government, there are hundreds of thousands of stories and hundreds of thousands of individuals. Hundreds of thousands of families have a breadwinner because of strong economic management. If you want to look at the alternative, just look across the chamber or to other parts of the world where they have lost control of their budgets; they have not had ongoing policies that strengthen economic growth and they have not responded to those challenges. When you see unemployment rising in some of those economies and when you see long-term unemployment and long-term welfare dependency, these are not what any leader would ever want to see. It is absolutely devastating for communities when we see stagnant jobs growth or jobs being taken away. What we have been delivering on, and what we intend to continue to deliver on, is a strong economy. You do not do that if you take the Labor Party approach.

Let's take a couple of examples of what the Labor Party offer. I have mentioned the issue of union corruption. They tolerate the kind of behaviour which slows a significant contributor to our economy in our construction industry. That is one Labor policy. Another Labor policy, of course, was to lower the value of people's assets through its negative gearing changes—raise rents and lower asset values. What does that do for confidence as people see their main asset reducing in value? What does that do for investment? What does that do for confidence? If you want people to invest in something less, you tax it more. That is what the Labor Party are proposing on housing. So we see another key difference. They support and tolerate union corruption, they want to see asset values come down and then they refuse to recognise the importance of cutting taxes for small business. They simply refuse to recognise it. They claim it is some sort of handout to lower taxes for small business when they know, and they have said it many times, that, in fact, cutting taxes for small business—well, let's see what they have had to say, because this shows how far away the Labor Party have gone from strong
economic management and a focus on growing our economy and growing jobs. Bill Shorten in 2011 knew it. He said:

Cutting the company income tax rate increases domestic productivity and domestic investment. … More capital means higher productivity and economic growth, and leads to more jobs and higher wages. That was well said in 2011 by Bill Shorten! That was a reasonable summation of what we all know to be true.

Senator Payne: That's extraordinary.

Senator SESELJA: It is. It is extraordinary, isn't it? There was this insight that Bill Shorten had back then which, for whatever reason, he has now completely abandoned and rejected. So when he said that cutting company tax leads to more jobs and higher wages, we can only take him at his word that now he does not support more jobs or higher wages. He supports suppressed wage growth and fewer jobs. That is a reasonable assertion when you read his own words. Julia Gillard said the same thing and Wayne Swan said it.

The Labor Party, for all of their failings in government, know that this is strong policy and they have chosen to walk away from that. They have chosen to say that now the way to economic growth, under the Labor Party's new platform, is to run bigger deficits—because that is what they were offering at this election: significantly higher deficits, a far longer return to surplus under the Labor Party and all of the drag on economic growth that goes with that. The Labor Party's path to economic growth is tens of billions of dollars in increased taxes—higher taxes on the family home, higher taxes on electricity, higher taxes on individuals and higher taxes on companies. That is the Labor Party's other prescription for economic growth. We know that it does not work.

Senator McKim interjecting—

Senator SESELJA: I hear the interjection from Senator McKim on behalf of the Greens. He is in fundamental agreement with what the Labor Party are offering. I think he said it does work to increase taxes for higher economic growth. I think he said it does work to have higher electricity taxes for higher economic growth. Well, it is difficult to find a credible economist who agrees with the Greens' position, which is now being more and more adopted by the Labor Party.

It is all well and good for the Greens to have those kinds of policies, because the Greens are never going to be in government unless they are pulling the strings of a Labor government. But the Labor Party do, from time to time, occupy the Treasury benches, and Bill Shorten puts himself up as the alternative Prime Minister. He is promoting policies which he knows are bad for economic growth and which lead to lower jobs growth and lower wages. He knows it to be true, yet he pursues those policies. This is now the fundamental divide amongst a number now between the coalition and the Labor Party. Fundamentally, at this election—and we can talk about the lies on Medicare and a range of things—that is what was at stake. We have been endorsed to get on with that strong economic plan and we intend to relentlessly pursue it on behalf of the Australian people.

The DEPUTY PRESIDENT: Thank you, Senator Seselja. I remind you to refer to members in the other place by their correct titles.

Senator HUME (Victoria) (11:24): It truly was an honour and a privilege to move that the Senate agree to the address-in-reply to the Governor-General's speech delivered on 30 August
of this year. As is often said—and it is perhaps better understood in the parliament than in any other quarter of Australian society—the Australian people do not get elections wrong. The Australian people have seen the work this government has done in their service. They have seen its vision for this country and the work that it has already completed. They have placed their trust in us again, and this trust is well founded. They have given the coalition a mandate to continue its good work.

This Turnbull coalition government has much to do and much to get on with—indeed, that is the business of government. We get on with it, despite the heckling, the obstruction, the sideshow and the smokescreens that those on the other side of the chamber often engage in. So how do we ensure Australia remains a high-wage, first World economy with a generous social welfare safety net? This is the question that this government has asked itself. It has driven our policies and it inspires our work.

The Turnbull coalition government believes in a just society where our prosperity as a nation is shared, and strong economic growth is experienced by all. It is well known that with success and prosperity comes immense responsibility: a responsibility to ensure that our nation's most vulnerable are not left behind. This is part of the Robert Menzies legacy. Robert Menzies once said:

… we believe in free enterprise; not enterprise free of social obligation …

Our actions as a government, our policies and our initiatives are not just about the present. Yes, we have been elected to government in the present, but we can never forget about the future. Our actions here will be remembered by—and will, indeed, impact—future generations of Australians. We need to recognise this and never forget it, for the sake of our children and our grandchildren. The Turnbull coalition government are a government that are deeply committed to fiscal discipline. Fiscal discipline is indeed part of the coalition's DNA. We are committed to this through the importance we place on strong, stable economic leadership. Through fiscal discipline and restrained spending, the Australian economy will prosper. To this end, we are committed to strengthening the solid economic growth that has occurred in Australia—indeed, 25 years of consecutive economic growth.

This is a government that will reduce the growth of government spending and will make sure that taxpayers pay their fair share of tax. It will crack down on tax avoidance by large corporations, and it has already substantially increased the penalties for engaging in this sort of behaviour. Despite Labor opposing the legislation, this government introduced the Multinational Anti-Avoidance Law with effect from 1 January this year, to stop multinationals artificially avoiding a taxable presence in Australia. The legislation forces offending companies to pay back double what they owe, plus interest. The government has also introduced country-by-country reporting to give the ATO greater access to multinationals' transfer pricing information as well as establishing a new tax avoidance taskforce which will raise $3.7 billion over the forward estimates.

This coalition government is also helping small business by reducing the company tax rates for businesses turning over less than $10 million per year, easing the burden on them and allowing them to thrive. This government is also deeply committed to better targeting tax concessions for workers. Small business employs millions of people in this country, and this government fully recognises, understands and appreciates their contribution to our economy.
This is a government that is making the largest investment in the Navy since World War II—$195 billion in our defence capability. This investment will generate jobs and growth, and cement our nation’s position as a sound and reputable producer of defence materiel.

The Turnbull coalition government are constantly working to keep all Australians safe from the threat of terrorism—from those who would threaten the free and democratic way of life that we all enjoy in this country. Our counterterrorism framework must be effective and it must be robust, and this government aptly recognise this fact. In an age where technology is part of everyday life—indeed, our everyday lives are almost entirely dependent on some form of technology—the Turnbull coalition government are driving the Cyber Security Strategy.

This government has already made substantial achievements in the trade portfolio, and I acknowledge the good work in this space of Andrew Robb, a Victorian of great note. We have secured landmark free trade agreements with China, Korea and Japan, as well as concluding the Trans Pacific Partnership. These agreements have opened up export markets to Australian businesses like never before, allowing for an ease of access and an ability to do business that few nations in the world enjoy today. But our work in this area does not end here. Rather, we will work to boost our exports and also to attract new investment to Australia. This government will pursue further free trade agreements, because we understand the immeasurable benefits that they bring to our nation, and we will also strive for greater regional economic integration.

The Turnbull coalition government has a well-renowned commitment to infrastructure. Our record in this space speaks for itself: we have invested in major road, rail and airport projects across the country, and we will continue to do so. Infrastructure is the greatest driver of productivity. It makes people’s lives much easier in so many ways. I just wish that the Victorian Labor government understood this fact. Perhaps, if they did, they would have worked with this government to deliver the East West Link instead of wasting over $1 billion of taxpayers' dollars on not building it. This is a travesty. Infrastructure Australia, an independent body, has urged the Victorian government to build the East West Link as a high priority. It is a travesty that ideological pigheadedness has seen productivity priorities subsumed.

The Turnbull coalition government is committed to making our cities more liveable. We are coordinating investment in our cities and towns at all levels of levels of government—state and local—through our Smart Cities Plan and City Deals. Better outcomes and less waste will be the result—the two elements that should be the cornerstone of any government.

The Turnbull coalition government understands and respects rural and regional Australia. We have a plan to boost regional jobs through our $200 million Regional Jobs and Investment Package, which will help our regions to flourish. We have fixed thousands of mobile phone black spots and we will not stop there—we have many more to fix, but we have made a very good start. Labor did not invest one single dollar in fixing mobile phone black spots during their time in office. What does that say about Labor’s commitment to rural and regional Australia?

The Turnbull coalition government is supporting our farming industries. Agriculture contributes so much to this economy. We are working through the implementation of our landmark *Agricultural competitiveness white paper*, and we are investing in water security in the Murray-Darling Basin.
Under a Turnbull coalition government, we will meet our 2020 emission reduction targets. We are promoting a more efficient energy market and continuing our investment in the National Landcare Program and the new solar communities program. This government has realistic targets, and Australians will not be slugged with a costly and ill-considered carbon tax by this government.

This is a government that is prioritising education, science and innovation. We are investing in the National Innovation and Science Agenda to create the high-tech jobs of the future. To skill Australians for these jobs of the future, we are providing record levels of funding for Australian schools. I will repeat that: we are providing record levels of funding for Australian schools. We will raise student standards and we will reward excellent teachers—those who excel in their chosen fields. This government are expanding P-TECH pilot schools to help students get the skills they need to enter the workforce. We are restoring confidence in the quality and integrity of vocational education—confidence that seemed to evaporate and vanish under those opposite.

Our Youth Jobs PaTH program will create jobs for up to 120,000 young Australians, and this government's investment in innovation will also create jobs—think of that; 120,000 jobs for young Australians. This would allow young Australians to enter the workforce and earn a living, and do the things they want to with dignity.

The Turnbull coalition government's commitment to health care is well-known. It is a commitment that no misleading scare campaign could ever fault. The government is strengthening Medicare and is establishing Health Care Home trials to support those Australians living with chronic diseases, an initiative that will better manage their care and keep them out of hospital, where they want to be. The government is working with the states and territories on funding for public hospitals and has delivered record levels of investment in the public hospital system. It is investing more to improve access to mental health services, with a particular focus on suicide prevention. Mental health care will be tailored to the needs of the patient rather than a one-size-fits-all-approach. The government is working with communities and the health sector to provide more flexibility in home based aged care, so that people can stay in their homes for longer.

The Turnbull coalition government will roll out the fully-funded NDIS scheme by 2019-20, a scheme that focuses on transforming the lives of around 460,000 Australians who are living each day with disability. The government has addressed domestic violence and is protecting women and children in danger. It is continuing its important work to close the gap in health, education and employment between the first Australians and the rest of the population by working with Indigenous communities.

The Turnbull coalition government will allow all Australians to have their say on same sex marriage via plebiscite as soon as possible. Those opposite should not obstruct this as the government has a mandate to continue on this course. The Turnbull coalition government is a government with a vision. It has the best interests of the Australian people at heart, and at the forefront of everything it does. It was elected to govern for all Australians and that is exactly what it will do despite the obstruction and the unhelpfulness of some.

The legacy of the Turnbull coalition government will be higher growth, more jobs, less debt, reduced deficit, and a more prosperous and productive Australia for this generation and for the next.
Senator DUNIAM (Tasmania) (11:40): I thank my opposition colleagues.

Senator Polley interjecting—

Senator DUNIAM: Yes, we make up most of the senators in the chamber so we should pass some laws, I think, that favour Tasmania—what do you reckon? In commencing my contribution to this debate, I have listened to the previous speakers. It is interesting to note they have all congratulated, commiserated and thanked many people. Having delivered my first speech on the last sitting day, I do not really get the opportunity to do that again. I will move straight to a number of things that I think are important that I have been reflecting on since the election and to the opportunities that lie before the 45th Parliament. Some of those things are tough issues and some of them are a little bit easier, particularly with regard to my home state of Tasmania.

Firstly, throughout the election campaign a number of promises were made by all sorts of politicians all over the place. Some of the promises were big and some were small but all of them were for something for various parts of our community. Community members asked for things they thought were important for their small towns, for their organisations, for their community groups.

In Tasmania, the coalition had put together a fiscally responsible package of election commitments that were designed to help the community to grow economically into the future.

Senator Polley: It was rejected.

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order!

Senator DUNIAM: Thank you, Mr Acting Deputy President Whish-Wilson, for your protection.

The ACTING DEPUTY PRESIDENT: Do not fall for their bait, Senator Duniam. Direct your comments to me.

Senator DUNIAM: Yes, I will, Mr Acting Deputy President. Those commitments were to provide amenity for the community. A couple of the things that the coalition committed to in Tasmania during the election campaign were important small local community projects, including the Exeter community precinct in the north of the state. A million dollars will bring together council, library, sporting facilities, recreation and community services in one location, providing jobs and opportunities for locals and better access to essential community services.

Those of us who spend time in rural and regional Tasmania, who get outside of their office—

Senator Polley: Who have their offices in rural and regional Tasmania.

Senator DUNIAM: who have their offices in rural and regional Tasmania, who get out and talk to the communities, understand the importance of having access to services in the small towns. That is something the coalition understands because we are a friend of rural and regional Tasmania.

Senator Polley interjecting—

The ACTING DEPUTY PRESIDENT: Senator Duniam, just resume your seat. I remind senators that Senator Duniam has the right to be heard in silence.
Senator DUNIAM: I will do my best to try and not upset others in the chamber by speaking the truth. The Tasmanian tourism industry is a gem in our crown. It is a huge economic driver, something I think all sides of politics can be proud of with regard to the state of Tasmania and the growth we are seeing them.

The coalition made a number of commitments during the election campaign, including $5 million to make investment ready the Cradle Mountain masterplan. It is a wonderful part of our state and something that does need work. It will be a very exciting project, when it is up and running and when we see what the final result is, in a region of Tasmania that needs this investment. The Three Capes Track, which I have not walked myself but I look forward to doing in the future, will complete this stunning and world-class walking experience down the Tasman Peninsula. The coalition also backed the 'Geeves Effect', a study into the demand for a wilderness experience in the World Heritage area at Lake Geeves, which I think we could all agree is a spectacular part of the world.

There was also investment into a world-class fermentation centre, Fermentasmania—which is adding to our reputation as a world leader in food and beverage—and the north and north-west winter events program. We talk about the importance of events and recreational activities in regional Tasmania. They are an economic driver, and we will be committing to replicating the success of events like the Devonport Jazz Festival and Dark Mofo. There was the New Norfolk riverfront revitalisation—a $600,000 investment for cycleways, walkways and visitor facilities and for relocating the rowing club. This is a spattering of small projects around small communities across the state of Tasmania, but they are important to each of these communities, and I am proud to have been associated with them during the last election.

Returning to the point I made earlier about the promises that the coalition made at the last election about being fiscally responsible, some criticise the fact that we were not promising to spend taxpayers' money like there was no tomorrow. If you compare the money promised by the coalition in Tasmania to the money promised by the Australian Labor Party in our state, you can see the point that I am making here. The thought that I think runs through people's minds every time they approach the ballot box is: who can be trusted to manage the Australian economy? The coalition promised just under $270 million in Tasmania; Labor promised over $1 billion in election commitments. There is a whopping $750 million difference between the levels of commitment.

As I have come to learn in life, now that I have grown up, had my kids and had to get a job to pay the bills and my mortgage and to start putting money away for my children's future, money does not grow on trees. It is a difficult argument to sustain sometimes—especially in the face of a cash-splash bonanza from your opponents. I think people will reflect, though, as I am sure they did the morning after the 2 July election, on just how close we came to having a repeat of the years 2007-2013 and what that would have meant for our country, its economy and the direction we are heading into the future.

Again I will reflect on the great honour of being able to go out into the electorate, listen to my community and bring back here their concerns or talk about the positive ideas they want to share with me as a community representative. The government has a commitment to rural and regional communities, as I have already said, through its election commitments and through the $200 million Regional Jobs and Investment Package.
Last Friday, I was privileged enough to have met a core group of committed and passionate locals from the beautiful north-west town of Waratah and I was joined by one of the hardworking local members from the Tasmanian state parliament, Joan Rylah. For some time now, I have been keeping an eye on the work of this group of residents from the town of Waratah and the ideas they have for making this town hum like it did 100 years ago.

Waratah, for those present—probably not many—in the chamber at the moment who do not know, is about one hour south of the coastal town of Burnie. It was home to the great Mount Bischoff tin mine. This mine was one of the economic powerhouses for the state of Tasmania in the 19th and into the 20th centuries. This town was the first Australian town to have electric streetlights, back in the year 1886. I was also told at this meeting that, taking into account inflation, over the years the mine would have produced the equivalent of $2.8 billion worth of tin in today's terms. But if you drive into Waratah today, while it is still a beautiful town on the edge of some spectacular wilderness and sitting around the top of a valley with a waterfall in the middle, you can see it is not quite the town it used to be. The population has dropped from over 5,000 to just 298, according to the 2011 census. There is only one hotel and most of the buildings have gone or are on the way out, and the town is slowly being reclaimed by the untamed wilderness of western Tasmania.

Like we have seen successfully executed in other states, including Western Australia and Victoria, the group I met with is pushing to preserve and promote some of the amazing mining heritage as a tourism drawcard. The proposal includes great bushwalks, camping sites and unique interactive heritage experiences—all tied into the exquisite Cradle Mountain and Tarkine regions. Anne Dunham, Winston Nickols, Ivan Johnston and the other committed locals are to be commended for their hard work and enthusiasm to do something for their community.

We also discussed the ancient Aboriginal pebble path that stretches from the small town of Temma through to Valentines Peak on the north-west, which is also being promoted by another passionate local, Mr Chris Hawkins. With the bushwalking craze as it is in Tasmania and across the world, this is a project that excites me and many in the community as a new offering in Tasmania for the bushwalking fanatic. These people were buoyed by their own ideas and passion for their place. If I could bottle the enthusiasm they have for our state, I know I would not need to work—I would be a very rich man if I could sell that sort of enthusiasm. This is representative of the resilience and the up-and-at-'em attitude that many Tasmanians have, which I talked about in my first speech. This community has been hit by more than its fair share of hard times, but, by banding together to do things their way with a view to making the community strong again, they are on the up.

There are number of issues that continue to crop up in my travels around the state, particularly in rural and regional communities. One of the issues that came up in recent times was the issue of mobile black spot funding and the government's program to address weaknesses in mobile coverage across the country. It was interesting to note that not one cent had been spent by those opposite to fix this problem in the years they were in government—compare this to the commitments and, indeed, to the rollout of the black spot program for base installations or upgrades underway at the moment. In Tasmania alone, 31 locations that are to be rolled out were announced. They include Apslawn, Bicheno, Bothwell, Brandum, Cramps Bay, Eggs and Bacon Bay, Elliott, Gawler, Goshen, Hamilton, Highland Lakes Road,
Loyetea, Lulworth, Lyell Highway, Melrose, Miena, Mole Creek, Nunamara, Okehampton Beach, Pyengana, Rossarden, Sisters Beach, South Riana, Swansea, Takone, Targa, Tarraleah, Tasman Highway, Verona Sands and Whiteford.

Given the importance to the communities I have just mentioned or the people that use the transport routes that will be covered by these upgraded or expanded base stations, I was interested to read an article in the Launceston newspaper, *The Examiner*, reporting comments by the member for Bass, Mr Ross Hart. In that article Mr Hart made what I feel are outrageous claims with very little basis in fact—claiming, quite separate to the findings of the ANAO report, that base stations were erected on the basis of politics, not community need. I ask the member for Bass whether he understands that many of the areas he is talking about as having been held by Liberal or National MPs are actually rural and regional communities where blackspots most often occur. Does the member for Bass understand that these include places in his neighbouring seats of Braddon and Lyons? Does he understand that some of these sites I have just listed are actually in his own electorate of Bass? And I have to ask Mr Hart, the member for Bass, which ones he would like to see removed from the list. I would be happy to take Mr Hart out to any part of our state which he thinks should not have solid and decent mobile phone coverage and allow him to justify why he thinks people there do not deserve it. Getting out into the community in the limited time we have is incredibly important.

Two of the shining lights in the Tasmanian context, as I have already said, are the tourism and hospitality sectors. Over a long period of time, I have had the honour and privilege to have worked with these industries on their plans for the future. The Tasmanian government, led so ably by Premier Will Hodgman, who happens to also be the Minister for Tourism, Hospitality and Events, has done a great deal in conjunction with tourism and hospitality operators across our state. The strong relationship between that government and those industries came about because that government listened. It decided that the people who knew best about how to tap into the amazing growth and potential, and to capitalise on the increasing visitor numbers and build the momentum we needed, were those in the industry itself—the hoteliers, the cafe owners, the restaurateurs, the vignerons, the tour guides, the over 37,000 people that have employment thanks to those industries in Tasmania.

It is important to point out that 60 per cent of tourism businesses are outside our major population centres, in rural and regional communities. The Tasmanian government has set a goal of attracting 1.5 million visitors per annum by the year 2020 and is well on track to achieving that goal. The Tourism Industry Council Tasmania has said that that goal would bring in an extra 8,000 jobs for Tasmanians. It would also result in growing an industry already worth in excess of $2 billion in terms of visitor expenditure. And this increase is needed, particularly in rural, regional and remote communities. Tourism Research Australia stated that Tasmania's west and east coasts were the fifth and sixth most tourism dependent regional economies in the country. Growing this industry is supporting our rural and regional communities and giving people, including younger people, the chance to live and work in the communities they love.

As I mentioned in my first speech, Tasmania is the 'it' location. People from all over the globe are hearing about our great state, its fine food and produce, its amazing wines and its spectacular scenery. Indeed, the visit by Chinese President Xi Jinping in late 2014 is still having a positive effect on our state. The number of Chinese visitors to our state has increased
at an incredible rate. And the Chinese demand for our first-class food and beverages has also grown exponentially. We have a 37 per cent increase in exports. Cherry exports are up by 46 per cent, with reports that an individual Tasmanian cherry will achieve a sale price of $1.50.

This growth and increased demand are great—great for jobs, great for the economy and great for the community. And it is positive to read the comments of the Tourism Industry Council’s Luke Martin in today’s Hobart Mercury, which say that if we are to keep growing demand, and to keep up with demand from overseas in particular, there will need to be another five or six hotels built in the next three years in Hobart alone. This is a massive turnaround from the days of decline and nosediving tourist numbers in our state. I look forward to working with the Tasmanian government, particularly Premier Will Hodgman, the minister for tourism, on ensuring that Tasmania remains one of the great destinations on this planet and that the Tasmanian people can continue to invest and work in this boom industry.

I turn to Tasmania’s status as the gateway to Antarctica. While Tasmania, in the eyes of some, is disadvantaged by its remote location from the rest of Australia, it is this remoteness that puts my state in the prime position to be the home to all things Antarctic. Coming up to parliament for my attendance at what is known as ‘senators school’ a couple of weeks ago, I had the pleasure of meeting Dr Jeff Ayton, who is the Chief Medical Officer in the Polar Medicine Unit within the Australian Antarctic Division. Jeff was travelling to attend meetings of the Scientific Committee on Antarctic Research, otherwise known as SCAR, in Kuala Lumpur, at which they were bidding to host the 2020 series of these meetings. I was thrilled to learn a week or so ago that Tasmania will be hosting these meetings in 2020. That is great news. It means that over 700 Antarctic scientists and academics will be coming to Tasmania from over 40 countries around the world. As the Antarctic Division has stated, this will showcase Tasmania as a key Antarctic hub, a gateway insofar as our country is concerned.

Additionally, as a bonus, the Council of Managers of National Antarctic Program—which also has a terrific acronym, COMNAP—will host its annual general meeting in Hobart, which will bring over 100 Antarctic program managers to our state. These are great announcements, and I commend the AAD, in particular Nick Gales and Jeff Ayton, for their efforts in securing these events for Tasmania, and indeed Australia.

With countries like China and the US continuing to increase their focus on the Antarctic, Tasmania is a place that has great potential for servicing their needs and providing a base for them to work from. There is an active community in Hobart promoting Tasmania as a place where international partners can come and base themselves to continue their Antarctic exploration and scientific research. During my time in this place I look forward to supporting that community in putting Tasmania more firmly on the map when it comes being ‘the’ gateway to Antarctica.

I would also like to commend the Minister for Employment for her work across the country, particularly in my home state. The minister has provided me with a briefing on a specific project funded under the program known as Empowering YOUth Initiatives, and the first round of that program. The project I was briefed on, run by an organisation in the state's north-west known as BIG hART, is called 20 in 2020, which I am told works with young people to increase their employability and enhance their pathways to social and economic participation, while at the same time supporting them to effect positive change in their community. It is targeted at people between the ages of 15 and 19 and identifies people at risk
of becoming long-term unemployed if they are early school leavers, from a jobless family, experiencing violence, in out-of-home care, likely to leave school before year 12—and the list goes on. There are a number of categories there. The communities they focused on were Burnie, Wynyard and Smithton, which many have identified as disadvantaged communities with regard to youth.

So this project, known as 20 in 2020, run by Big hART, needs to be commended, as does the Minister for Employment, Senator Cash, for rolling out this program. I look forward to seeing the results of this and future projects rolled out under this particular program. I also look forward to working with Tasmanians to promote the next round of funding for this program when it is open for applications.

I have spoken a number of times of the Tasmanian government, and it is important to point out that there is a strong working relationship between the Tasmanian and Australian governments. They are working cooperatively together. We always come to the table with different points of view but, as two mature governments, I think we are working together very well to get the best outcomes for our state, and I look forward to doing that on into the future.

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (12:00): It is a great privilege to be in a position to contribute to replying to the Governor-General's address. I have that privilege, of course, because I was fortunate enough to be re-elected a senator for Queensland at the last election, and it is a great privilege and honour to be elected to this place. Just coming back into this place after some four months away, sitting in these chairs and looking up at the galleries to the schoolchildren and other people coming through, it does come home to you a bit more what a privilege it is to sit in this place and what a great privilege we all have as senators elected to this chamber.

I would like to particularly congratulate the new senators elected—like Senator Duniam, who I am following today. There is a lot of change in the Senate, and it is good to see some new faces on the first day of school, so to speak, and to get to know all these people who have been elected for their respective states.

Last night I helped launch the campaign of a local Liberal Party member of the Legislative Assembly here who is running for election again. The election is in a month's time. This is Alistair Coe, someone who I am sure Senator Gallagher would be familiar with. He read his first speech and he spoke very eloquently about how this role that we are all elected to, as elected officials, is a role of public service—of civil service. I suppose, for him, being elected in Canberra, it is particularly hammered home, because this is a town that is meant to be dedicated to the public, through what we do in this place and what is done in the various departments and agencies that reside here in Canberra. It should be principally about providing a service to the Australian public, and I hope I can do that in the role I have, as a senator for Queensland, and also the role I have the great honour of having been appointed to, as a minister in the Turnbull-Joyce government—again, playing that role with my department to try and provide a service to the Australian people.

In doing so, we in this government want to make sure we achieve the objectives and goals that we put forward to the Australian people a couple of months ago: to make sure that we can improve our budget situation, to leave to future generations of Australians a better and stronger Australia and a better and stronger fiscal situation, so that they can then make decisions and have the flexibility to decide how to run their country as they take it over in the
future, and to make sure that we continue investing in our nation. I want to talk a little bit about our plans to invest in northern Australia, in particular, in my role as a minister for northern Australia, and our plans to create jobs right through this country, because so many parts of our country need to maintain that strong economic growth and that opportunity to have a job, to be able to get up in the morning and take pride in what you do, to provide for your family, to give economic security to those you love, and to be able to plan your future—to buy your own home, start your own business or have a go, in this great country that we are lucky enough to have.

And of course we must protect that country as well. There is nothing more fundamental to any of us than to secure our country and the Australian way of life that we are so lucky to have; we are all privileged to be here and live here. We need to do that in the face of great threats from those who would like to overturn our way of life and the freedoms that we all enjoy—and we saw that on the weekend of course. We must also make sure that we secure the borders of our country, because if you are going to be a country you have to have borders; if you are going to have borders, you need to decide who is going to be in this country and who is welcome to share this great privilege we have of being Australian.

Last week that privilege was hammered home by the news that we have just ticked over into 25 years of uninterrupted economic growth. So we have achieved a quarter of a century without a recession. We have had some quarters of negative economic growth but no two quarters in a row, so we have not had a technical recession for 25 years—a quarter of a century; a generation. This is the second longest period of uninterrupted economic growth on record, behind the Netherlands after they discovered oil in the North Sea. It is a fantastic result and a testament to the strong economic leadership that has been provided, largely, over those 25 years, and also a testament to the difficult reforms that we put in place, stretching way back particularly to the Hawke-Keating governments.

Sometimes I think we get complacent and lazy in this country and think that those 25 years of uninterrupted economic growth only came about because we had a mining boom, when people clearly forget that the mining boom really only started in about 2002-03 and did not really get going until the mid-2000s. Before that, we had to go through the East Asian financial crisis, the dotcom bust in the United States, and September 11, of course, and the financial upheavals that led to. Throughout those periods, without a mining boom—indeed, with some of the lowest terms of trade we have ever experienced as a country—we achieved strong economic growth. That was then only increased thanks to the mining boom, to the God-given gifts we have here: the little black rocks in Queensland and the little red rocks that I saw last week in Western Australia. Those commodities then helped us to continue that growth.

But the lesson of the last 25 years is: there is no need to panic. There is no reason why we cannot continue that strong economic growth, just as we did in the nineties and early 2000s. Yes, our terms of trade are lower now, but they are still much higher than they were in the 1990s when we achieved strong economic growth. We are a proud, innovative, strong and prosperous country, and we can continue to have strong economic growth, providing we have strong economic leadership across our country and we do right the things that we need to do, like balancing our budgets—what seem to be simple or easy things—and making the difficult
decisions to run our country in a professional and stable way. Then we will have the benefits that we have been able to achieve over the past 25 years.

That need for economic growth, that need to continue on the path of a stronger economy is extremely important to the people I represent in Queensland. I am very proud to have been re-elected as a senator for the great state of Queensland. I am particularly proud to reside in Central Queensland and to focus on the people there. It is a very big state, the most decentralised mainland state in our country, with people spread right across it.

We in the Liberal National Party of Queensland try our best to represent the entirety of that state by having senators all around it. I am based in Rockhampton. My colleague Senator Ian Macdonald is up in Townsville. We have Senator Barry O'Sullivan down at Toowoomba looking after Western Queensland. We have Senator George Brandis in the south-east corner and Senator McGrath on the Sunshine Coast as well. It is a great spread around a great state and it is very important that all Queenslanders are represented.

It is regrettable that the other major party in this place—the Labor Party—no longer has senators north of Brisbane. Senator Jan McLucas missed out on preselection last time. She was based up in Cairns. It is a great shame because we should all try, in this place, to represent all Australians. There is another reason for the Senate to be looking after regional areas. The major cities, by definition, have strong representation in the other place, because that is where most of the seats are in the 150-member House of Representatives. That is where the people are. Here in the Senate we should look after the gaps. We should look after the places where there is less representation than in the other place.

In my area of Central Queensland there is no more important or pressing an issue than jobs. The biggest issue that came up in the campaign—indeed, through my full two years as a senator in the last parliament—was the need for jobs, for some stimulation of our economy. The area has been hit hard by a change in those terms of trade, by a reduction in commodity prices, particularly by a reduction in coal prices, which has put off investment in many mines that would have gone ahead. It is an important point to make that we are exporting record amounts of coal, much more than we were before the boom. Employment in the mining industry is about double what it was before the mining boom, even after the reduction in employment over the past couple of years, but the change has had a big impact on Central and North Queensland.

Unemployment rates are particularly high in Townsville, approaching 10 per cent, on the ABS figures. Cairns has had elevated unemployment for some time, given the high Australian dollar and the impact on the tourism industry, but it is starting to improve. Mackay is at about seven per cent. Where I am is not much below it, at about 6½ per cent in Central Queensland. More importantly, we have had a lot of people leave, so those unemployment rates do not reflect the true situation. When people leave to another region they are not captured by those unemployment numbers. Townsville has had more than 10,000 jobs lost in the past year. It has had about a 10 per cent reduction in employment levels there in the past calendar year. It is doing it very tough. That is why there is a need for strong government to have strong plans to provide jobs and new opportunities in North and Central Queensland. That is what we are focused on.

I have the honour of being the minister for Northern Australia and I must, at the start of this discussion, recognise the great work of senators and members of the other place who did the
work before I came to this role. I was appointed in February this year, but the government announced in the middle of last year its white paper to develop the North. Even before that, it had done a lot of work in opposition to develop this agenda. I need to pay tribute to Senator Ian Macdonald for the work he has done over many years to elevate the North, to bring it into focus, and to Warren Entsch, the member for Leichhardt, in the other place, who has done a lot of work and has been the Chair of the Joint Select Committee on Northern Australia.

These people did a lot to bring the Northern Australia development agenda to our nation’s forefront. That has led the government to have a plan with more than $6 billion to invest across the North, to drive this area of economic opportunity for us. This is not a welfare program. It is not saying that people in the North deserve some money or need something. This is a nation-building project that will benefit our nation. Already, the North punches above its weight. Already, it contributes to around 11 per cent of our GDP, despite being only about six per cent of our population. Its GDP per capita is more than double the rest of the country.

A good business would look at those areas of the country and say, 'Where are we making money? Where is our business doing really well and beating the KPIs and making a return on investment?' A good business would say, 'Let's invest in them. Let's go to those places and give them more money, more funding and more opportunity so we can grow our business where we are already making money.' That is exactly the situation in northern Australia. It is an area of our country where we are making money. We receive enormous returns from mineral wealth, agricultural wealth and tourism assets. Like any good business, we should now reinvest in the assets of that area. We can become a stronger and more prosperous country all around by doing it.

We have some great cities down here in southern Australia. I grew up in one. I grew up in Brisbane, in Sydney and in Melbourne and was over in Perth last week. They are fantastic places that we should be very proud of. But I want to make sure that when I finish my career or leave God's earth we can look back and say we have created better cities right across our country. That is what we should be doing as a nation. We have so much opportunity. There is no reason that places like Darwin, Townsville, Cairns or Mackay cannot become major centres. Even over in Senator Reynolds's place, I would love to see Karratha, Broome and Kununurra become major centres. They are beautiful places with huge opportunities. We need to have a commitment, which other governments and leaders have had in the past, to develop places like Brisbane, Sydney, Melbourne and Perth. They are places where we did have a strategy. We looked as a government, and through different leaders, to develop them. We had great people like Lachlan Macquarie. If he turned up right now he would probably ask, 'What are you doing with the rest of the country? Why aren't we looking at plans for those places as well?' That is what we are trying to do with our northern Australia agenda.

Under this agenda we announced—and I was privileged to partly announce—nearly $1 billion worth of investment across the North in roads, dams and sporting infrastructure, right across northern Australia. I just want to mention a couple of them. One of them in my area is a weir on the Fitzroy River. The Fitzroy River catchment is the second-largest water catchment in our country after the Murray-Darling. Look at what we have done with the Murray-Darling and all the wealth we are going to create there. There are massive amounts of wealth just waiting to be tapped into in the Fitzroy catchment, and we are going to do
We announced that we want to build a weir there which could double agricultural production in the Fitzroy, create 2,000 jobs and drought-proof the towns of Central Queensland, and we are looking forward to working with the Queensland state government to see that happen.

We have announced roads right across the north. We have announced a plan to seal the Outback Way over the next decade, including an initial investment of $128 million over the forward estimates. We only have two routes that are sealed from east to west in this big country of ours and, by sealing the Outback Way, we will create the third sealed route across our nation, across our continent. If we are going to develop this northern Australian agenda we need to think more east-west, rather than just north-south. We often think about the Pacific Highway, the Bruce Highway and how we connect up this eastern seaboard of ours, where most of our population lives, but to really develop the north, our inland and rural areas we need to think about how we are going to connect our nation from east to west. That is what we will be doing through the sealing of the Outback Way.

We have more plans, too, for water in particular. We have announced funding to reinvestigate, to do some preplanning, on things like the Hells Gate dam up in Burdekin and raising the Burdekin Falls Dam, which is one of the last major dams we have built in this country. We are looking at water options for Darwin, which are very important. Also, over in Western Australia, we are looking at opportunities to further develop the Ord River system and the Fitzroy system—not to be confused with my Fitzroy in Central Queensland.

I want to touch briefly on the Ord—I was lucky enough during the campaign to go to Kununurra for the third time. It is a wonderful oasis. I always marvel at the fact that we sometimes have people in this place who call dams environmental disasters and say that they should not build dams, yet there we have the biggest dam in our country, Lake Argyle, which is now a Ramsar listed wetland and protected under environmental legislation, under the EPBC Act.

Every time we want to do something to the Ord now we need to get environmental approval, because this man-made lake has become an environmental asset. Well, if dams are so environmentally damaging, then why is the biggest dam in our country listed as an environmental asset? It is an asset, because it is a great water body—it attracts birds, it attracts fish, it is a wonderful, wonderful place—and the things that are happening there are wonderful, too. There is a company up there that is currently developing around 12,000 hectares, and I was lucky enough to see their second-year crop of chia that is in the ground, growing beautifully. They are looking to expand into other broadacre crops like cotton and possibly sugar one day, which would provide further jobs downstream in ginning or milling facilities and would be a great boon to Kununurra and this untapped and undeveloped region of our nation.

Just across the border there are plans for a major aquaculture facility in the Northern Territory which could provide massive amounts of protein, particularly to Asia, through farming fish and, again, could create thousands of jobs in this area which has been beset by underdevelopment and economic disadvantage, particularly to our First Australians. If we can get on and do some of these projects, it will create enormous opportunities for them.

Which brings me, in the limited time I have available, to the resources sector, which I am fortunate enough to represent in this government as well. I want to spend a little time talking
about what the resources sector does for our First Australians, our Indigenous Australians. I was over in the Pilbara last week, and all of the companies over there in the iron ore industry have strong Indigenous advancement programs. I particularly want to call out the Fortescue Metals Group and their chairman, Andrew 'Twiggy' Forrest—who would be well known to people in this chamber—and what they are doing and achieving. They have nearly 25 per cent Indigenous employment in some of their mines up there in their region, which would be about the proportion of Aboriginal people in those regions.

It is an excellent result—a result we cannot match here in Canberra in the federal government, despite our efforts to do something about employing Indigenous Australians. But our resources sector is out there doing that, providing economic opportunity for our First Australians. It is one of the reasons why so many mining projects—not all, but many, mining projects—have fundamental support from Indigenous Australians, such as in my area with the Adani coal project, which has been supported by all the native title groups in my area. Indeed, one of them had a meeting in Maryborough earlier this year, and the vote was 294 to one in favour of the Adani coalmine project. You do not always hear that in the national press but you cannot get much more comprehensive than a vote of 294 to one. Our resources sector is going to be key not just to providing those opportunities to our First Australians but to all Australians, because it is now a sector that is bigger than it was before the boom.

This idea that the boom is over and the mining sector is no longer important is absolute rubbish. It is now bigger than it has ever been as a share of GDP: it is up around nine per cent now and it was six per cent before the boom. It employs double the number of Australians that it did before the boom. All the investments that we have been lucky enough to attract over the past decade or so have made this sector permanently more important, and we are a government that is now focused on making sure we remain an attractive destination for investment in our mining sector, for jobs.

We are out there with Geoscience Australia, investing $100 million in exploring for more opportunities in this country. There are huge opportunities that still remain untapped and unexplored. As surprising as that might be, look at what the iron ore industry, which was only founded 50-odd years ago, has done for our country. We can create more industries like that with governments that are committed to economic growth, committed to jobs and committed to those sectors of our economy that produce wealth for all Australians.

Senator REYNOLDS (Western Australia) (12:20): I too rise in reply to the Governor-General's opening address for the 45th Parliament. Listening to many of my colleagues' address-in-reply speeches reminds me of how lucky and how proud I am to represent this great country of ours in this chamber.

The Turnbull government was re-elected on 2 July and is delivering the strong economic plan we took to the Australian people. Last week alone, 26 bills passed our party room and are now working their way through parliament in delivery of our election commitments for a stronger economy. The priority for the Turnbull government now is, rightly, to ensure that we have a strong economy, to ensure the safety and security of our nation and to repair the budget so that we can deliver what all of us in this place share in common, what we all aspire to—that is, to leave a stronger and more prosperous nation for the next generation of Australians than the one we inherited ourselves. But I believe we are now in danger of leaving the next generation saddled with our own debts.
I have reflected on the Governor-General's remarks in his opening address. He said this:

Australians look to their members and senators to provide them with a parliament that works for them. Possibly to some this is a statement of the obvious, but I think it is one that can get lost in the rough and tumble of this place and in debates on the issues of the day. The Governor-General further observed that Australian citizens have vested in us, in all of us in this place:

… their trust to deal sensibly, responsibly and diligently with a multitude of policy choices important, not only to how Australians live today, but to what sort of society we bequeath to future generations.

So, as the Governor-General reminded us, it is up to all of us in this place to provide the leadership to our respective electorates and the Australian community as a whole.

For me, and I believe for all of us, one of the most important responsibilities in this place is to preserve the institutions and the principles that underpin our democracy. There is no greater democratic value or individual freedom more greatly valued and oft cited in the modern Western world than the right to free speech or freedom of expression. It is, indeed, the foundation of all modern democracies. But it is something that cannot and should not ever be taken for granted, and it is incumbent on all of us in this place to make sure that it is preserved and that our legislation reflects contemporary values and contemporary considerations.

Our own unique liberal democratic culture here in Australia recognises that society is improved by individuals thinking for themselves, imparting their own views and then having them contested in open and very robust debate, so that good ideas gain traction and bad ideas wither away, enabling changing social norms to be reflected in the legislation of the day.

While freedom of speech is never, ever completely free in any democracy, history shows us that freedoms are not successfully preserved through legislative or in practice censorship of deeply held opinions or beliefs. It is very clear to me that in all democracies free speech is essential to preserve and protect the rights of minorities. Freedom of speech is essential to preserve and protect the rights of minorities.

The wonderful thing about our own unique form of representative democracy here in Australia, indeed, particularly for senators on this side of the chamber, is that we can pursue topics we feel very passionate about without fear of repercussion, and we have in our very broad church the freedom to express our own personal views. It is our job and it is the expectation of the very people who elected us to represent them.

Despite some opinions to the contrary, Australia does not have a bill of rights. Therefore, it is our role as parliamentarians to make, review and amend legislation to ensure that it is responsive and reflective of the will of the electorate. Our own constitutional founding fathers deliberately did not codify in any founding document of our nation individual freedom, rights and liberties. Rather, after a considerable degree of debate and discussion, they determined that societal values, norms and opinions change over time and, once codified, were difficult if not impossible to transform with the changing views and opinions of society. Our founding fathers had great faith that the Australian people would ensure that laws and judgements represented the majority of community expectations and beliefs of the day. That, I believe, is our role here today.

As elected representatives in this place, we are the guardians of free speech in this nation. It is a constant balancing act in all democracies but a balance that must be constantly challenged.
and constantly tested, and the only way to do that is to allow free debate and free discussion on issues of the day, and it can never be taken for granted.

Our greatest Prime Minister, Sir Robert Menzies, explained in a University Of Virginia lecture in 1967 why Australia does not have a bill of rights. He said far more eloquently than I ever could:

Responsible government in a democracy is regarded by us as the ultimate guarantee of justice and individual rights.

He is talking about all of us in this chamber and in the other place. We are the guardians of justice and individual rights in this nation.

I am glad that the draftsmen of the Australian Constitution made little or no attempt to codify what individual liberties are, as those 1901 values would have been codified and be in either our Constitution today or a similar bill of rights. Our founding fathers also knew that with legal definition words can become more important than the ideas they are seeking to capture and, as I have said, values and societal norms change over time. They also knew that to define human rights is to limit them—for, in the long run, words have to be given some meaning; there has to be some judgement made about the meaning of those words—or to express them so broadly that the discipline which is inherent in all governments and ordered societies becomes difficult if not impossible.

All of us who exercise freedom of speech and freedom of opinion—and a lot of that regularly goes on in this chamber—be it in public life or in the media, have to accept that others are likely to be vehemently in disagreement with what we say and also that others may be offended or insulted with what we have to say. But that is a healthy thing in any democracy and it is critically important to make sure that our standards are acceptable to the Australian community.

Noam Chomsky noted that Goebbels was in favour of free speech for views that he liked. So was Stalin. If you are really in favour of free speech then you are in favour of freedom of speech for precisely the views that you abhor, otherwise you are simply not in favour of free speech. My own experience over many years in politics is that many, particularly I think on the Left, endlessly espouse tolerance and compassion with a fervour that leads me to truly believe they are the single moral compass of our nation. How insulting is that? In our democracy, they certainly have the right to that opinion. But, for me, here is the rub: while many on the Left in public life and in the media are endlessly and stridently compassionate for, and tolerant of, those who reaffirm their own personal truths and morals, they are equally ruthlessly intolerant of those who do not share their own beliefs. Anyone who dares to question their own unshakable beliefs is dismissed as ignorant. Worse, in public life today, they are labelled as sceptics, and there is an attempt to hound them into silence to ensure that the public hears and believes in only one truth—the truth of many of those on the Left.

All this does is suppress and generate frustrations in the many whose voices have been silenced, leading to the very reactions that those seeking to suppress their point of view are seeking to avoid.

Two years ago, I spoke in this place about my concerns with section 18C as an example of a counter productive legislative restriction on the freedom of speech and expression. The changes to the Racial Discrimination Act that are the subject of much discussion and debate
are removing the words 'offend' and 'insult' from section 18C. These are words which hurt feelings, not humiliate or intimidate—which I think we are all in agreement should stay. In its current form, I do not believe that section 18C strikes the right balance between freedom of speech and the prevention of racial discrimination.

I greatly appreciate the comments made in this place throughout the course of this debate, particularly those in Senator Moore's speech, and also in Senator Dodson's fabulous first speech. Both of them reminded us of our shared humanity and what limitations are acceptable to the Australian community, and, as Senator Dodson reminded us, standards and social norms change over time.

When reviewing any legislation, the intent and context is always critically important. It is my understanding that, when the act was passed in 1975, the original intention was to prohibit racial discrimination in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination. However, subsequent amendments have extended its reach to the point where many, including me, believe it has created a serious imbalance between its intentions and its practical application. To me, the recent and very much publicised QUT case demonstrates that 18C has gone a step too far. I believe that removing the words 'offend' and 'insult' and leaving the words 'humiliate' and 'intimidate' strikes the right balance and restores clarity and precision to the act. Hurt feelings should not have legal recourse.

During the course of this debate, many prominent Australians outside this place, from all sides of the political spectrum, have lent their support to removing the words 'offend' and 'insult' from the act. Mr Paul Howes is somebody who I perhaps would not normally be quoting in support of my argument in this place, but Paul Howes, the former National Secretary of the AWU, summed it up I think very eloquently when he said:

… I am concerned that people in some of the circles I mix, on my side of politics, increasingly seem to think that they should write, or invoke, or resurrect, laws that will shut Andrew Bolt up.

That is not freedom of speech, and that is a step too far. Warren Mundine, the head of the Prime Minister's Indigenous Advisory Council, last week expressed support for removing 'offend' and 'insult', stating:

I do believe it needs changes—not to wipe it completely, but to pull it back a bit.

And, while senators on this side of the chamber may not regularly turn to Julian Burnside for inspiration, on this topic I find his opinion very instructive. He has stated:

The mere fact that you insult or offend someone probably should not, of itself, give rise to legal liability. My personal view is that 18C probably reached a bit far so a bit of fine-tuning would probably be OK.

Indeed, the Australian Law Reform Commission itself concluded last year:

… there are arguments that 18C lacks sufficient precision and clarity, and unjustifiably interferes with freedom of speech by extending to speech that is reasonably likely to 'offend'. In some respects, the provision is broader than is required under international law to prohibit the advocacy of racial hatred, broader than similar laws in other jurisdictions, and may be susceptible to constitutional challenge.

In comparing Australia's section 18C with other common law countries, the commission also found:

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The New Zealand and UK provisions seem narrower than the Australian provision... For example, the provisions do not cover offensiveness, and require that the person provoke hostility or hatred against a group of persons defined by race or ethnicity.

In fact, the diversity of views previously held within the Human Rights Commission itself reflects the wide range of opinions in the community on this issue, and therefore I believe this discussion, while it has been over two years in the making here in this chamber, has a long way to go in the Australian community, as it should have.

But freedom of speech isn't just about academic interpretation, legal interpretation or judicial interpretation. I think it goes further than that and touches on elements that actually make us Australian. The journalist David Marr said:

The present act has to be changed—a little. Hurt feelings should never attract the law as they do now under section 18C.

He went on to touch on an important point saying that 'offence and insults are the everyday reality of free discourse' here in Australia. David Marr's comments that offence and insults are the everyday reality of free discourse in a democracy made me reflect on my uncle, Bruce Reynolds. He was a true Aussie larrikin from Marble Bar in Western Australia. He was the sort of bloke who would get up at 10 o'clock in the morning and have a bit of a flagon over his shoulder. He would welcome people with open arms. He lived out of his trailer—an old trailer with wardrobes which made up the walls of his house. I have absolutely no doubt that some would have found his language offensive and certainly occasionally insulting. But most of us who knew him would have seen the mischievous smile and the twinkle in his eye as he took the piss out of people. I think it would be a tragedy for all Australians if, in the name of political correctness and for fear of hurting someone's feelings, that great sense of Australian larrikinism and, as I said, taking the piss out of people were lost.

Our founding fathers would have been so proud that in this place we can simultaneously debate issues that are fundamental to the health of our democracy—in this case, freedom of expression—while, at the same time, the government of the day can get on with what it is elected to do. I believe this is a cause for great celebration in here and in our nation—and not one for criticism and derision.

Senator SINODINOS (New South Wales—Cabinet Secretary) (12:38): I rise to participate in the address-in-reply. I begin by taking this opportunity to thank the electors of New South Wales for returning me to the Senate for what now appears to be a six-year term, having been appointed in 2011 and elected in 2013. I welcome being in the Senate and I welcome the many colleagues we have in the Senate from all parties. I said in my maiden speech that I do not doubt the motives of anyone who comes here or that they want to contribute to making what is the greatest country in the world even better. We come at it from different angles and perhaps with different sets of values and beliefs, but we also come to it with some common principles—one of which is an overriding faith and belief in the strength of Australian democracy, which is, at its pinnacle, exemplified by the House of Representatives—that other place—and by this great deliberative chamber. So it is a privilege to have been re-elected to this place and to have the opportunity to participate in the address-in-reply.

It is also a privilege to be in government. I often say to people that the worst day in government is infinitely to be preferred to the best day in opposition, because in government
you can do things—you can get things done. We have an opportunity in this parliament to get things done, and we will have plenty of things to get our teeth into. I noted that, when the Governor-General made his address in this very chamber in front of all the members and senators, it was quite a long address, because he actually had quite a long agenda that he was reciting on behalf of the government. I welcome the fact that there is a substantial agenda but I also take at face value what other people in this chamber and in the other place, including the Leader of the Opposition, Mr Shorten, have said about wanting to make the parliament work. Ultimately we will all be judged by whether we have made this parliament work. That means getting down to work and considering the business that comes before us in terms of legislation, motions and so forth.

It was a long and tough campaign. It was an eight-week campaign, and the counting seemed to take quite a long time as well. But the fact is that we are now here and the agenda that we have put up—which I will now start to go through—is an agenda which I think, properly explained, will get the support of the Australian people as we go through the individual measures. We already gained their support by being reaffirmed as the government at the last election. Yes, it was a close election, but we come to government with a mandate to get things done. It is important that we not only explain to people carefully why we believe certain measures should go through but also have the capacity to deal honestly and openly with all members of this place and the other place in a genuine spirit of give and take. There will be some measures which will be hard for us to give up, because we will say, 'They go to core measures that we put to the Australian people.' But we want to see outcomes and we believe the Australian people want to see outcomes, and we will approach those deliberations on legislation with people in this chamber and elsewhere in that same spirit.

This is the first time since 2004 that a federal government has been returned with a majority in its own right. That in itself is a good and positive step for the parliament as a whole. I believe that we have to build on that and, as a government, even if we have a majority of one in the lower house, we have to act as if we have a majority of 21 or 41 and stand up for what we believe and for the agenda that we have put to the Australian people and try to get that agenda through. We recognise that we face a challenge in the Senate but we welcome the people who have been elected in the Senate, because they have all been elected by the Australian people under a properly constituted election and with voting reforms which have made it very clear that preference-whispering and the like will no longer be the order of the day. So I take at face value every person who comes into this chamber, and we want to work with them on the great matters that come before us.

We have a strong cabinet government and a strong strategic agenda, continuing the work of the coalition in investing in skills and jobs to get more Australians into work and boosting the productivity of our country. If we want to have more jobs, we need more investment and, if we want to have higher wages, we need higher productivity. There is no point mandating yourself a 10 per cent wage increase if a firm cannot actually pay for it. We as a government want to facilitate higher productivity. That is about working smarter. It is not about working longer. Australians work quite long hours. It is about encouraging as many people as possible to be as productive as possible. This is the way of the future for Australia. We know that we cannot rely on the commodity cycle to bail us out every time. We know we live in a region where the competition is intensifying—you have to run harder just to stay in the same spot.
So for us the challenge is to manage this transition as our mining sector comes off and create new jobs in new sectors and new industries. For us the challenge in this parliament is to build on the industry framework which we took into the election and on which we delivered the first tranche before the election under the leadership of our Prime Minister, Mr Turnbull.

I want to talk a bit about the 45th Parliament having a rational and cohesive budget framework in which we can appropriately balance our priorities and take into account the impact of our decisions on debt now and in the future. The reality is: Australia's debt position is not one that should be allowed to slide too much. We are an economy which is subject to the vicissitudes of international trade and finance. We do not want to be adversely subject to external shocks. It is very important that we have the capacity that we did during the global financial crisis. The Howard-Costello government had put money away in the bank, we had the Future Fund, we had no net debt. So when the global financial crisis hit we were able to spend more without getting into excessive debt. But since then the debt has continued to rise. This government has taken measures to arrest that, but we cannot have a situation where we constantly say, 'Lord, make me pure, but not now.' We have to have the capacity to start arresting that growth in debt so that future generations do not believe that we frittered away the opportunities that we had.

This is not a counsel to austerity all round. We have to be smart about how we go about budget repair. We have to be very smart about it. It is no longer the case of simply hacking here or there. One of the lessons that came out of the election for the coalition was the importance of being able to talk about health and education not simply through the lens of budget repair but more broadly in terms of the philosophy that we bring to those areas. So one of the challenges in this parliament for the coalition in areas like health and education is to continue the progress in making that Commonwealth government spending as effective and as well focused and targeted as possible, and to make sure that we are not wasting any extra dollar that we put into any of these areas. We want to get away from this idea that you can just put money in and that that is all you need to do. It has to be money directed for a purpose. But I think we can do this. I think we have the smarts as a country to do this, particularly now that we face an ageing population. For us, the whole purpose of government is not simply to sit there and do nothing. The purpose of government is to actually deliver services that people want. But we have to do it in a way that balances the legitimate need for those services with the need to make sure that the tax burden on low- and middle-income earners, in particular, does not fall disproportionately on them because we have to make up for the debt that we have incurred. We want to avoid future taxes by making sure that debt does not go up too much now.

One of the other things that has been a hallmark of the prime ministership of Mr Turnbull has been the focus in budget measures on promoting fairness. We saw this in relation to the measures on superannuation that we took to the election. Our view is that superannuation should be a tool to make it easier for you to maintain a certain standard of living in retirement and to reduce the reliance on the age pension where possible, but not to have it as a tool for estate planning or for leaving excessive accumulations of wealth in a very lightly, or untaxed, vehicle like superannuation. There is no divine right to these tax concessions. These are tax concessions which are paid for, potentially, by higher taxes on other members of society. What we are saying is: those who have high superannuation balances, in particular, have a
contribution to make to budget repair. Everybody has to make their fair share of a
contribution. That is what we are about. That is the fairness of those measures, and we will
pursue those measures in this parliament.

Fairness for us also means that, when we look at the workplace, we make sure that, as
Tony Blair once famously said: 'Fairness starts with the possibility of a job.' For us, creating
more jobs means what? For example, it means implementing our agenda around the
Australian Building and Construction Commission bill and the registered organisations bill.
Both—particularly the ABCC bill—seek to bring more of the rule of law into the building
construction sector. Why? We want to have that sector as productive and as cost efficient as
possible, because the excessive costs of that sector are then passed on in higher costs to the
consumers of building and construction products. The federal government and the state
governments are big consumers of building and construction. So those costs ultimately end up
as costs to Australian taxpayers and come out of the pockets, often, of low- and middle-
icome earners. So, for us, dealing with issues like the building and construction sector is an
economic imperative. It is not about targeting unions. We believe in freedom of association,
but we believe everybody should be treated equally before the law. That includes the building
and construction sector. It includes the CFMEU; it includes the MUA. It
is one rule for
everybody. So it is important for us to continue our work in achieving the ABCC bill and the
registered organisations bill.

We are already also putting up further savings—which the Labor Party supported during
the election campaign—of about $6 billion into what is called the omnibus savings bill. We
believe that these are savings that can be harvested early. They are savings that Labor
themselves embraced in the campaign, so they should have no problem in embracing them
now. We will pick up those savings and use them to help get our deficit under control. We
would like to see an early agreement on this, particularly with Labor, if that is possible. It is
on top of other things where Labor have changed position. They have changed their position
on the pension assets tests; they have changed their position on the schoolkids bonus.

Every time we put the Labor Party under scrutiny on their costings and finances during the
campaign, they made further concessions on other items of savings they were prepared to give
up. And that is important. In another place and out in the electorate, the Leader of the
Opposition said, 'Labor is going to be constructive. We're going to be positive. We're going to
make the parliament work.' Well, the parliament work is give and take on both sides. It is very
important that there is give and take from both sides.

Our economic plan for skills and jobs is the key to ensuring our prosperity in the years
ahead. Someone said during the campaign, 'We heard so much about jobs and growth, jobs
and growth.' We will keep hearing about skills and jobs, and jobs and growth until we are sick
of saying it. And maybe where we stand on this subject will then have penetrated to the rest of
the population: there is a six-point plan we have put together to promote jobs and growth. For
us, that is the overriding priority. Every Australian who has a job is an Australian who is
proud of themselves, who has high self-esteem and who feels that they do not have to rely on
others. Then we make sure our safety net is available to those in the community who need our
help. But, where possible, our imperative—whether it is through our industrial relations
policies, our budget policies, regulation or reducing red tape—is to promote as many jobs as
possible and make it easier for people to get jobs.
For us, having a fully articulated whole-of-government innovation and science agenda—one of the first things that Mr Turnbull did when he became Prime Minister—is very important to promoting this transition in the economy, which I talked about before. It is very important for us to use our defence spending to drive growth in high-end advanced manufacturing. The Minister for Defence is in the chamber and she has been a great champion of this, both in the finalisation of the white paper on defence and, since then, in promoting the white paper across the country. Something like $195 billion worth of investment in defence is coming up over the next few years. That spending seeks to maximise the Australian input and create those high-end advanced manufacturing jobs we talk about. These submarines are about as an advanced a piece of technology as there will be anywhere in the world, not just—

Senator Cameron: The spaceships of the ocean!

Senator SINODINOS: Senator Cameron is exactly right, and that is very important. We are talking about those capabilities being built in Australia. We will develop those capabilities further through spin-offs and the like, with benefits across industry. That is how Silicon Valley started. We cannot necessarily hope to replicate Silicon Valley, but we can take an active approach where the government uses its procurement to obtain those high-end jobs here in Australia for Australians.

We continue to cut taxes on jobs and cut taxes across the board for small business, medium business and bigger business, because that is a plan for growth in our economy. As I said earlier, we face a lot of competition in our region. One of the areas in which we face competition is around levels of tax and it is around how productive and innovative we are. We have to be able to attract extra capital and business here and we have to be able to retain people here, by making it more attractive to invest in Australia.

We also recently announced changes to competition policy, particularly around section 46 of the Trade Practices Act, which will hopefully create a more level playing field between big business and small business. It is important that we deal appropriately with the misuse of market power. We have come up with some balanced legislative provisions which I believe strike the right balance in encouraging competition in the economy while recognising the particular depredations that big business can visit on small business through misuse of market power. On top of that, we are continuing, with the states, to promote an agenda of more thoroughgoing competition reform across the board. Competition across the economy is very important. We are seeing the disruption that is occurring through Uber and through Airbnb. Disruption is occurring across the economy. Our role is not, like King Canute, to stop the tide. Our role is to actually encourage that disruption and manage it in the interests of our fellow Australians. Going hand in hand with that, we have to make sure that our education system is fit for purpose, so that those people who feel that they may be displaced out of their jobs because of technological change get the opportunity to be retrained, have the chance of a new job and are not just thrown on the scrap heap.

Senator Cameron: What are you going to do about it?

Senator SINODINOS: In relation to younger Australians, we will promote our agenda for science, technology, engineering and mathematics, to encourage more people to go into those disciplines through their primary and high school years, to create more of a pipeline of people who can be the scientists, the technologists and the engineers of the future.
Senator Cameron: Everybody is going to be a scientist?

Senator SINODINOS: I could go on and on about this government's agenda, but I can hear the drums starting to roll. So let me finish where I began. It is a privilege to be in this chamber. We have the opportunity to do some great work. It will require give and take on all sides, but I believe if we set our sights on the future and if we leave behind some of the partisanship and some of cavilling at the sides that we sometimes hear—

Senator Cameron: Like you did!

Senator SINODINOS: And some of the interjections that we hear—

Senator Williams: Point of order, Madam Acting Deputy President. Will you please bring the attention of standing order 197 to Senator Cameron, who is consistently and persistently interjecting during Senator Sinodinos' speech.

The ACTING DEPUTY PRESIDENT (Senator O'Neill): Thank you. The Senate will return to order.

Senator Cameron: On the point of order, this has been a speech that has been absolute waffle. This government is in trouble. It has no agenda. Then we have to sit quietly and listen to this rubbish.

The ACTING DEPUTY PRESIDENT: Senator Cameron, that is not a point of order! It is a debating point. Senator Sinodinos.

Senator SINODINOS: Well, if it is waffle, he should allow me to keep going! He should vote me more time. That would be even better and he would have more waffle!

Senator Cameron: I'll move an extension for 20 minutes!

The ACTING DEPUTY PRESIDENT: Order, Senator Cameron! You are having too much fun here.

Senator SINODINOS: Madam Acting Deputy President, those opposite do not want to hear this, because they know that we have a strong agenda. They know that we are putting a strong case to the Australian people for creating the economy of the future. Those opposite are mired in the past. They are mired in the 1970s. They need to come into 2016 and join the rest of us who are trying to create the modern Australia.

The ACTING DEPUTY PRESIDENT: Senator Cameron?

Senator Cameron: Point of order. If the senator would wish an extension for another 20 minutes of waffle, I am sure we will give him that.

The ACTING DEPUTY PRESIDENT: The Minister for Defence.

Senator PAYNE (New South Wales—Minister for Defence) (12:58): In this debate on the address-in-reply, allow me to acknowledge His Excellency the Governor-General and his address to the parliament on its first sitting following the recent election. Let me also thank the people of New South Wales for the honour and the privilege to continue to serve and to represent them here in this very important chamber.

Every day in this job is different. Every day in this job gives us an opportunity to help or support our fellow Australians in one way or another within our constituencies. It is a great responsibility and one which I take very seriously many years after I first began it. As part of my address-in-reply speech, I want to speak in particular about my visit in August to the
Middle East, where I was privileged to meet with deployed members of the Australian Defence Force, whose commitment and sacrifice are central to ensuring Australia's national security. This is an important part of this government's agenda for this parliament—a continuing strong commitment to our national security.

Firstly, in Afghanistan, where Australia has a vital presence as part of the Resolute Support Mission, it was a great pleasure to meet with so many of those men and women, and an honour to acknowledge their service and the important work that they are doing. But, more importantly, I heard directly from them about the roles that they play and the jobs that they do in Afghanistan at the moment—on this occasion, in Kabul.

There are currently about 270 ADF personnel deployed in Afghanistan, and they are providing training, advice and assistance to the Afghan security forces. That includes 12 ADF mentors who are developing Afghanistan's future military leaders at the Afghan National Army Officer Academy. The academy is a critical institution for the future of the Afghan army and, therefore, the security of Afghanistan. We work with Britain and other partners, ably led by a British officer, Brigadier Ian Rigden, in the operation and training aspects of the ANAOA. It is one of the key leadership institutes in the Afghan military. Our involvement will contribute to the strengthening of the Afghan military over the long term. Our ADF mentors have been critical to the early success of the academy. We now have a total number of graduates exceeding 1,400, which includes over 40 female officers. It is true that there is much more to be done in the recruitment of women to participate in the Afghan National Army, particularly at a leadership level. I particularly valued the insights of the young men and women I met in this context. It is fair to say that—as you would expect from representatives of the ADF—they were typically frank and open in their observations and left nothing to the imagination about the sort of work that they do and the important role they play. Enabling them to play that role depends on the diligent work of the ADF force protection element and combat support personnel, in addition to the mentors themselves. We also have ADF personnel embedded in the NATO-led Resolute Support Mission headquarters, as well as in critical force protection in medical and other enabling roles. Without them, these tasks would not be performed.

I met with Afghan President Ashraf Ghani and the recently appointed defence minister, Lieutenant General Abdullah Khan Habibi, to discuss some of the tremendous challenges they face in rebuilding their nation while defending it against the Taliban and terrorist groups. Both underlined the importance of Australia's ongoing commitment to the long-term security of Afghanistan. I was left with absolutely no doubts as to how valuable the ADF contribution is to the future of their nation and to our interests in a stable global order. Our purpose in Afghanistan remains, as it has for the past decade and a half, to prevent that nation from ever again becoming a safe haven for terrorism that threatens Australia and the wider world. Australia is committed to working as part of the international community to provide long-term support to the government of Afghanistan as it seeks to consolidate hard-won security gains. That is why this government announced on 8 July that it will continue to support the Afghanistan security forces through our ADF contribution into 2017—the continuing contribution of 270 troops. Our annual commitment of US$100 million will continue to build the capability of the Afghan security forces for the future security and stability of Afghanistan.
There are a number of projects funded by Australia, including: the provision of Australian developed and manufactured equipment to counter improvised explosive devices through project Redwing, which is well known to those interested in the defence industry in Brisbane; the refurbishment of Afghanistan's MI-17 helicopters; and initiatives to support increased female participation in the Afghan security and defence forces, including through new facilities and training.

It is fair to say that, following the Afghan security forces assuming the lead responsibility for security at the start of 2015, there will be setbacks along the way. This is a massive undertaking. However, they continue to build their capacity and remain committed to working with the international community. Overall, and faced with enormous challenges, the Afghan security forces are continuing to strengthen their capacity and capability to counter threats to security and to make Afghanistan a safer place for the Afghani people. As I said, there will be setbacks, and we have seen reports about issues in the past couple of weeks in a number of provinces. But recognising the challenges in bringing the Afghan national defence force on line is an important part of the growth of their capacity, as well as an important part of our work there.

In relation to our deployment in Operation OKRA, more than two years after declaring the establishment of its so-called caliphate, Daesh is no longer the fighting force that swept through Iraq and Syria in 2014. That is not to say we do not have enormous continuing challenges. Daesh is estimated to have lost almost 50 per cent of the territory it once held in Iraq and around 20 per cent in Syria, and the men and women of the ADF played no small part in these military successes. Through the support and training provided by the coalition, including Australia, Iraq security forces have worked to turn the tide against our Daesh opponents.

I saw first hand in Baghdad and elsewhere the critical role that ADF personnel have played in ensuring the Iraqi security forces are able to take the fight to Daesh. In Baghdad, I met with our special operations task group, which has been playing an important role in supporting the Iraqi counterterrorism service in key areas as part of their advise and assist mission. Since late 2014 the expertise, skill and dedication of Australia's special forces and the members of the SOTG team have been invaluable in assisting the Iraqi Counter Terrorism Service on the front line. Their work has been essential in enabling the Iraqi government to regain control of its sovereign territory while the Iraqi CTS continues to play a critical role in counteroffensive operations under some very difficult circumstances. Our advise and assist support mission includes advanced combat tactics, combat casualty care, explosive hazard awareness identification and neutralisation, as well as canine dog training.

The support to all of our partner to Iraqi forces also includes mentoring and training in professional military conduct including the principles of the law of armed conflict, human rights obligations and the use of force. Additionally, our special forces personnel are providing the Iraqi security forces with access to coalition air power that supports ground manoeuvre. Indeed to date, our SOTG has qualified over 836 members of the CTS and provided specialist training to more than 439 other soldiers. The importance of this mission has been clearly demonstrated in the work of the Iraqi CTS operations in a number of locations where territory has been retaken by the Iraqi security forces, by the government itself.
At Taji, which is about 40 kilometres north of Baghdad, I met many members of the ADF personnel contributing to our building partner capacity mission. Around 300 ADF personnel and 100 New Zealand Defence Force colleagues are deployed to that mission. The BPC is making a very important contribution to rebuilding the Iraqi army so that it can conduct successful counter offensive operations against Daesh and ultimately assume responsibility for Iraq’s security themselves. The training undertaking that they have put in since only April last year is very considerable. The joint Australia-New Zealand task group has provided training to more than 8,094 trainees and currently has 2,622 undertaking training now. So this is a very important aspect of the development and growth of the Iraqi army itself.

The government has also recently announced the expansion of the mandate of this important mission to include Iraqi law enforcement agencies. In fact as we move towards the Mosul offensive and more areas are liberated from Daesh, strong and effective policing and enforcement are also required to maintain ongoing security and stability. It is Australia’s trainers with their New Zealand colleagues which will provide these forces with military skills to enable them to do better defend territory from Daesh attacks and to provide security for local civilian populations so they are able to return to their homes to begin rebuilding their lives and communities.

During my time in Iraq, I was particularly struck by the development of very close ties and a real and deep understanding between our ADF personnel and their Iraqi counterparts. There is not only weapons training in self-protection and the basics of their participation in the Iraqi army but there is also a real friendship and a real engagement. In fact there is a very instructive Facebook post on the Australian Army Facebook page from 31 August, which references the night before the Australia-Iraq World Cup qualifier in Perth, which I think was played on 1 September. To precede that game, Iraqi and Australian soldiers decided they would play each other at Taji in similar form. The Facebook post goes on to report that the Australians were confident that they would be able to teach their Iraqi counterparts a little about football. Unfortunately, in the old phraseology of watching the footy every weekend, ‘look at the scoreboard’ really was the outcome of that—Iraq 5, Australia 2. It was a very friendly and positive engagement.

On a serious and important note though, these ties, the real ties, between two military forces—and the friendly ones as well—have not gone unnoticed in Iraq. In my meeting with Iraqi Prime Minister, Haider al-Abadi, and his then defence minister, the Iraqi Prime Minister directly and personally thanked Australia for the important contribution that we are making, with many coalition partners also engaged in training through this process.

In the Middle East, I also met with our ADF personnel who are contributing to Australia’s Air Task Group. The ATG has been conducting air operations against Daesh targets in Iraq and in Syria and has been providing critical airborne command and control and refuelling support to the broader coalition. Since October 2014, there has been a total of 857 ADF air strike missions over Iraq and Syria. Our efforts have made a very real contribution in the fight to halt the advance of Daesh and in the continuing mission to degrade and destroy their terrorist threat. All of that work is supported, has to be supported, in this case by around 400 personnel under Operation Accordion, which sustains our military operations throughout the Middle East. I was very proud to meet with these professional men and women from a range of roles across the ADF who play a vital and much needed role to support Australian
operations in the region. Frankly, our operations would not be possible without their immense professionalism and dedication.

The international coalition has made considerable progress in the fight against Daesh but there is still, as I have said, more to be done to ensure that this threat is defeated once and for all. Prior to my visit to the Middle East, I attended the Counter-Daesh Defence Ministers’ meeting and the joint defence and foreign ministers meeting in Washington in July. These meetings focused on how the coalition could accelerate and better coordinate efforts in the defeat of Daesh in Iraq and in Syria and of course how to address the metastasising of their insidious networks and to address our own domestic challenges in this important counter-terrorism work. It was also a timely opportunity for coalition members to consider the need for contemporaneous planning with respect to the military, the humanitarian and the stabilisation efforts in the lead up to the liberation of, in this case, Mosul.

The liberation of Daesh strongholds in Mosul and in Raqqa will be vital to pushing towards the eventual collapse of Daesh's so-called 'state'. The importance of that task cannot be underestimated. The ongoing challenge will be the security and stabilisation of the territory as it returns to Iraqi responsibility.

We remain steadfast in our commitment to playing our part in defeating the Daesh terrorist threat wherever it appears in our own country, in supporting other nations if it appears as a metastasised version elsewhere, and in this case in Iraq and in Syria.

I also want to briefly mention Operation MANITOU, our contribution to the maritime security operation in the Middle East. On this occasion I did not have the opportunity to meet the men and women deployed to Operation MANITOU, but it is fair to say that their work is key to protecting Australia's interests—including, of course, our vital maritime trade routes. Under that operation we contribute both personnel and a major fleet unit, which is currently HMAS Perth, to the Combined Maritime Forces, or CMF. They operate across more than eight million square kilometres of international waters, and in that role Australian ships have conducted highly successful narcotics interdictions, counterpiracy patrols and seizures of illegal weapons. Since July 2014 the Australian ships deployed under Operation MANITOU have seized in excess of four tonnes of heroin and 1½ tonnes of hashish. These seizures have deprived terrorist organisations of vital funds and arms, and removed those products from the streets of countries and cities around the world.

In my final remarks I want to thank all the members of the ADF and the Defence civilians—public servants, whether they are from our Capability Acquisition and Sustainment Group, our Defence Science and Technology group or countless others—who are working across the Middle East. As we know, we have had military personnel and civilians serving in the Middle East since the First World War. They are difficult and demanding jobs in tough conditions. It was 50 degrees Celsius in the shade in Baghdad in August alone, and it is significantly hotter than that when you are working on a plane on the tarmac in the middle-day heat anywhere in the Middle East.

Our ongoing commitments to the Middle East region are important to Australia's national security, and I want to thank every Australian who has served for their dedication and for the dedication of their families. Whether it is in Afghanistan, Iraq or the waters of the Arabian Gulf, the men and women of the ADF are making a real difference. It is their commitment, their dedication, their professionalism, their skill and their sacrifice which do that. We should
be very proud of the important work that they are doing in our name and we should keep them in our thoughts.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (13:17): I want to make some remarks about this address-in-reply debate. I say at the outset that I exempt Senator Payne from the comments I am about to make, because that was an important contribution about the role that the ADF continues to play, and we join with her in her remarks about their service. Leaving her aside, it has been quite an interesting debate, hasn't it, Madam Acting Deputy President O'Neill?

This address-in-reply debate, which has been going on for some hours now, really confirms what Labor said in the election. We said in the election that Mr Turnbull and his government have no agenda. We said in the election that Mr Turnbull and his government have no plan and no ideas, and today in the Senate that has been demonstrated. For some three hours we have seen speaker after speaker from the government side filibuster in a desperate attempt to keep this chamber running until question time. They literally have nothing to talk about. They have no content. The only thing they have a lot of content on, the only thing they have an excess supply of, is division. They have got a lot of that: division on marriage equality; division on superannuation; division on donations reform. In fact, you have to work hard to keep up with the number of splits in the government at the moment, because every new blog tells us another story about another split.

This is the government of Australia we are talking about. Some of us in politics might look at this and think how amusing it is that the Prime Minister is under attack by his own backbench, by the former Prime Minister and by former cabinet ministers, but the hard and sad reality of it is that this division brings with it paralysis. It brings with it an inability to govern. What we have seen this morning in this chamber is a government so divided they are paralysed and unable to govern. They are unable to bring into this chamber a single piece of legislation. We even had the spectacle of cabinet ministers of this country, Senator Sinodinos and Senator Canavan, being dragged into this place for the sole purpose of keeping the Senate sitting until question time. You would think they have nothing to do—they are only ministers of the cabinet!

In the meantime, we have been subject to some stunning displays of oratory from the other side. Senator McGrath regaled the house with his love of the Last Night of the Proms music concert, which he described as one of his favourite TV programs. Senator Canavan told us about chia seeds and his favourite places in Western Australia. Just for good measure, Senator Reynolds used her filibuster to further embarrass the Prime Minister over section 18C of the Racial Discrimination Act. She read out long slabs of quotes from people who, like her—in defiance of the wishes of the Prime Minister—want section 18C repealed. Senator McGrath also told us of his love of flagpoles and relived his not so glorious days on the campaign trail with the former member for Herbert. Senator Seselja resorted to reading out a list of local Liberal candidates. But my personal highlight, my personal favourite, was Senator McKenzie not only declaring that the best thing about the election was the Nationals beating the Liberals in Mallee and that Senator Scullion is a deep thinker but also declaring her praise for the Nationals candidate in McEwen whose name she could not even remember, but who, apparently, 'runs a stockfeed store in a place starting with T.'
Colleagues, it has been 2½ months since the election. It has been four months since the parliament last sat at the commencement of the session. I think senators, the media and in fact the Australian people are asking, 'Where is this Turnbull government's agenda? Where is that plan for jobs and growth?' We have five sitting weeks left till the end of the year, and this is the government's legislation plan. It is not surprising that The Australian Financial Review and others published pieces for the weekend which looked at the Prime Minister's performance and graded him. I think he basically got a D-plus from The Financial Review and their commentators. I would note that, in those articles, there was a conspicuous absence of senior colleagues defending him. But I thought the best comment, which deserves repeating in this chamber, came from ANU economist Martin Richardson, who said, 'What's the Latin for "I came, I did nothing, I stuck around"? … 'I'm sure Mr Turnbull would know.'

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (13:22): I rise to make a contribution to the debate on the address-in-reply speech by His Excellency the Governor-General on the opening of the 45th Parliament. Senator Wong, as the shadow minister for foreign affairs, hopefully not only will find what I have to say as being of interest but also will agree wholeheartedly with a lot of what I am about to say. I want to specifically focus on His Excellency’s comments regarding foreign affairs, trade and investment, and most especially my area of international development and the Pacific.

I was delighted to attend my first Pacific Islands Forum recently in Pohnpei—in fact, I just got back yesterday evening—in the Federated States of Micronesia. The Pacific Islands Forum, or PIF, as it is referred to, is the only gathering of Pacific leaders in a region where Australia has core strategic and security interests. The participation of the Prime Minister and I demonstrates Australia's commitment to the region as a major partner and our intention to step up engagement to address the challenges faced by the region.

At the forum the Prime Minister outlined his four priorities for PIF: to underline Australia's long-term commitment as a major and reliable partner on strategic security, economic and development issues in the Pacific region; to reinforce PIF's role in strengthening resilience and capability to meet the significant challenges facing the region; to outline new, substantial commitments by Australia to help meet those challenges, including on support for climate change and improving disaster management and risk reduction; and to listen to the views of other Pacific nations and exchange ideas on the ways we can intensify and sharpen regional approaches in support of our core and common interests in security, stability and sustainable growth.

The Prime Minister emphasised our interests in the region and that the complexity of the challenges we face demand more engagement at every level, more integrated policy and fresh ideas. Our government's commitment will be guided by our foreign policy white paper next year. These initiatives will support continued stability and resilience in our region, and the forum is an important partner in this shared goal. Australia supports the Framework for Pacific Regionalism and progress by the forum to take forward regional cooperation on key priorities, particularly in relation to climate change and disaster risk management. We further see opportunity to strengthen the forum's value-add in generating political support for regional action and providing practical support to help ensure that action is coordinated and effective.
As the Prime Minister noted at the forum, Australia supports the new, proposed Framework for Resilient Development in the Pacific, which crucially links work on climate change with disaster risk management. Australia will also support the early establishment of the Pacific Resilience Partnership as the mechanism for implementing and coordinating action on the framework. We are pleased also that the forum leaders have agreed on a statement of principles to accelerate action and enhance coordination of climate finance. It underlines the commitment of all in the region and makes clear that the Pacific has a real plan of action to address this challenge.

For Australia, there is no more pressing need for regional action than on climate change and resilient development. The climate conference in Paris set the global framework, and we must now work together to implement those commitments in line with our national priorities and help us as a region to deliver on our commitments. As announced by the Prime Minister, Australia will provide $300 million to Pacific Island countries over the next four years, including $775 million for addressing the impacts of climate change and disasters. This is an increase of $80 million on current levels of assistance, and these investments are based on Pacific national priorities. Australia will engage closely on what is most critical now to our Pacific neighbours and we will be supported by our overall overseas development assistance programs that are increasingly climate smart.

The Prime Minister also noted that we will continue to work to secure a substantial share of Green Climate Fund resources for the Pacific. Australia has committed $200 million to the fund over four years and co-chairs the Green Climate Fund board this year. We will be commencing the ratification process for the Paris agreement as soon as parliamentary processes allow. We are committed to working with the region to ensure the Pacific remains secure for all of us.

Australia's defence white paper identified the security and stability of Australia's immediate neighbourhood as our highest strategic priority after the defence of Australia. Our commitment to the Pacific is underlined in our Pacific Maritime Security Program. Importantly, we had discussions at the forum about illegal fishing and the need for nations of our region to be able to stop it. Of course, that is where the provision of patrol boats, particularly the new Pacific Patrol Boat program, are so important. We are also providing additional support in terms of aerial surveillance so that illegal fishers can be identified, and we will be providing new vessels to replace the current patrol boats.

We are also very focused on building resilience in the region through long-term economic prosperity. Australia is committed to facilitating greater economic integration in the region. To this end it is vital that we move forward with PACER Plus, the Pacific Agreement on Closer Economic Relations free trade agreement. Conclusion of this agreement will improve economic growth prospects and support structural reform in Pacific island countries. There is already significant momentum towards greater integration in the region. Links between our people are increasing, including through our Seasonal Worker Program. In 2015-16, some 4½ thousand workers from participating Pacific countries undertook short placements in Australia, mostly in agriculture. Up to 40 workers from Kiribati will begin work in aged care and tourism in the coming months under Australia's Pacific Microstates—Northern Australia Worker Pilot. This program will allow 250 citizens from Kiribati, Nauru and Tuvalu to work for up to three years in low-skilled occupations in northern Australia. Labour mobility
measures such as these have the potential to boost regional economic development more than any other measure. It is important that we continue to build on this momentum.

Forum leaders also discussed the importance of continuing support to Solomon Islands following the conclusion of the Regional Assistance Mission to Solomon Islands in June 2017. Australia has been proud to play a leading role in RAMSI since its inception in 2003, and our commitment will continue long after RAMSI concludes. Discussions with Solomon Islands on Australia's post-RAMSI support are ongoing. Our support will include ongoing police-to-police advisory support, to consolidate the gains made under RAMSI. We are also discussing arrangements with Solomon Islands that would allow deployment of additional military, police and civilian personnel, at their request, in the event of a significant security or humanitarian crisis.

I would now like to focus on Australia's commitment to the Sustainable Development Goals. Our globalised world has delivered great prosperity. It is more interconnected and interdependent than ever before, living standards are rising and the promise of technology seems boundless. But yet millions around the world have been left behind.

The Millennium Summit, held at the UN headquarters in New York, produced the Millennium Development Goals—and recognition by countries of the world that there remains much to do to assist the millions not sharing in the prosperity. Former Prime Minister John Howard recognised that bridging the global economic divide would remain a key objective for the United Nations into the new century.

In the years since the millennium goals were agreed, we have taken greater strides to realise this goal. Hundreds of millions of people have been lifted out of poverty, and mortality rates for children under five have halved. But there is still more to be done. In 2013, an estimated 375 million people—almost 12 per cent of the global workforce—got less than the World Bank's measure of absolute poverty: $1.25 per day. The Sustainable Development Goals were developed as a roadmap to push ahead with this task. In 17 goals, the 2030 Agenda for Sustainable Development articulates the ambitions of nations to keep working towards a better world.

Australia took an active role in the development of these goals, so it is no accident that many of the 2030 Agenda's sustainable development goals line up directly with our own development priorities. Three of these goals—on growth, on gender and on governance—build on the strengths of our aid program, especially in the Pacific. For example, the role of private-sector-led economic growth in driving poverty reduction aligns with our own objectives.

Our government's economic diplomacy agenda has been delivering results, especially in our region. Where traditional diplomacy builds stability, economic diplomacy delivers growth—recognising the crucial role of investment, trade and economically productive infrastructure.

I saw this firsthand during my recent visit to Malekula Island in Vanuatu, an island to which I was the first Australian minister to travel. In Malekula, we are helping rural cocoa growers improve the quality of their crop, establishing better links to markets, and, ultimately, getting more money into the pockets of rural families and communities.
Creating economic opportunity, particularly in agriculture, is one of the few paths to prosperity in remote island communities. It is pleasing to see that Australian businesses, like Haigh's Chocolates—

Senator Birmingham: An outstanding business, too!

Senator FIERRAVANTI-WELLS: Yes, Senator Birmingham, in South Australia. Businesses like that are seeing the value—particularly to you, Senator Cameron, who share my love of chocolates—in buying and marketing a boutique product produced in the Pacific region. This is sustainable development in action.

Gender equality also matches neatly with Australia's development program. Our focus on gender is driven by a recognition that empowering women is a strong contributor to economic growth and stability. If we empower a woman, we empower her family and we empower her society. That is why our aid program requires that 80 per cent of our total investments effectively address gender issues in their implementation.

I recently visited parts of Fiji recovering from the devastation of Cyclone Winston. The cyclone had a particularly devastating impact on economic infrastructure, including town markets and the mostly women vendors. Rather than just rebuilding the market, Australia is working with local women's groups to identify issues which are of importance to them. For example, in the township of Rakiraki, which I visited, the women vendors at the market often have to stay overnight with their young children, often at considerable cost and personal risk. So, as part of our assistance, Australia is not only funding the reconstruction of the market in Rakiraki but also funding a new accommodation centre which will mean that the women can stay overnight in a safe place and bring their goods to market, in turn making it easier for them to earn an income, retain that income and add to the economic prosperity of Fiji.

The Sustainable Development Goal relating to peace and governance dovetails perfectly with our efforts on anti-corruption in various forums, including in the G20. It reflects our commitment to human rights—witnessed by our bid to join the UN Human Rights Council in 2018. And it is clearly evidenced by our ongoing commitment to RAMSI in the Solomon Islands.

As RAMSI heads towards its expected conclusion next year, we can be proud of Australia's efforts to promote peace and governance in our region. Our Pacific Island neighbours face particularly complex development challenges, which we are committed to helping address.

We will also continue to work with our partners in the private sector and to look for new partners. This will include initiatives like our Business Partnerships Platform, which designs and builds commercially sustainable solutions to development challenges.

The Addis program on development finance is a practical means for us to address this ambition. This program acknowledges that success for the Sustainable Development Goals will require us to mobilise all sources of development finance—public, private and international. It highlights the importance of ensuring developing countries can sustainably raise the means to support their own prosperity, including by having effective taxation, strengthening financial markets, building market access to improve trade and encouraging and facilitating private investment. So success for the 2030 agenda will require a concerted effort by all of us through genuine partnership with our Pacific and global neighbours.
I now turn to what the government is doing in aid and development more generally. In 2016-17 the official aid spend will be $3.8 billion from a total government budget of an estimated $445 billion. This is an estimated 0.23 per cent of gross national income. The Australian government's development policy document *Australian aid: promoting prosperity, reducing poverty, enhancing stability* was released in 2014. Our investment priorities are: infrastructure; trade facilitation and international competitiveness; agriculture, fisheries and water; effective governance; education and health; building resilience; and gender equality and empowering women and girls.

Investment priorities for each country and regional program are reflected in aid investment plans that are available on DFAT's website. At least 90 per cent of our aid is directed to the Indo-Pacific region, particularly our immediate neighbourhood in South East Asia and the Pacific. Examples include preventing health threats, such as drug resistant tuberculosis spreading to Australia through a major program in PNG, and countering radicalisation, including through a justice and security partnership with the government of Indonesia. These are only two of a far greater number.

We are on track to spend 20 per cent of the aid budget on aid-for-trade investments by 2020. Aid for trade helps developing countries improve their capacity to trade, contributing to economic growth, job creation and poverty reduction. For example, we are partnering with the World Bank Group to help developing countries improve policies and regulations to attract, retain and extend foreign direct investments. Our plan is for a strong, prosperous and secure Australia. Fundamental to this is a strong, prosperous and secure region, especially the Pacific.

Australia's aid program contributes to prosperity and stability in the Indo-Pacific region, including through humanitarian assistance in response to disasters. Aid contributes to sustainable economic growth, poverty reduction and stability. There are 456 million people who live in extreme poverty—that is, less than US$1.90 a day—in Asia and the Pacific region. With poverty comes poor health and education and a lack of economic productivity, and it contributes to instability. Australia benefits if citizens in its region are healthy, well-educated and making an economic contribution and thereby lessening their dependency.

We also benefit if our neighbouring countries are stable, well-governed and open to trading opportunities. Aid complements other steps the government is taking to make our region safer and more prosperous. When disasters strike, we help to save lives and rebuild critical infrastructure. As a responsible neighbour in the region, it is the right thing to do. We take a rigorous approach to the effectiveness of Australian aid. Our Australian aid program is not charity. We have strategic targets focused on aid effectiveness, value for money and performance benchmarks with partner governments. We have a zero-tolerance approach to fraud and corruption. Potential losses from fraud and corruption in the aid program in 2014-15 were 0.026 per cent of expenditure, about $1.3 million.

By supporting aid for trade and economic integration in the region we create an environment that benefits Australian business. By reducing poverty we empower millions of people to lead healthy and productive lives. This promotes self-reliance and stability in countries across our region. By working to build stable and secure societies we help counter violence, radicalisation and transboundary threats that could affect Australians and our
national security. Through investments in health we are preventing threats, such as drug resistant tuberculosis, malaria and the zika virus, from spreading to Australia.

In conclusion, Australia's development investments in the Asia-Pacific are making a positive difference. The Prime Minister and I attended the Pacific Island Forum to demonstrate Australia's continued commitment to help meet the many challenges facing our region, including climate change, transnational threats and security issues, as well as poverty in our region. Last week we demonstrated that right across the board Australia is providing considerable support and real partnership. It is one that respects the independence and sovereignty of the nations of the Pacific and one that recognises that we are all strong and committed partners for this region.

As I travel in the Pacific I reinforce Australia's commitment to building strong personal relationships that underpin this long commitment of partnership, which is so important for our prosperity and the prosperity of our region.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (13:42): I had not planned to make a contribution to the address-in-reply speech by His Excellency the Governor-General a couple of weeks ago, not that there would have been anything inappropriate if I had. I just felt compelled to respond to the contribution of Senator Wong and the briefing that took place today by the opposition, around this building, in relation to the management of the government's legislative program.

The opposition have been running around to anyone who will listen, in this place, that the Senate has—

The ACTING DEPUTY PRESIDENT (Senator Ketter): Senator Cameron, on a point of order?

Senator Cameron: I am not sure whether the senator is actually in an address in reply or whether this is a personal explanation. Could we get some clarification for that?

The ACTING DEPUTY PRESIDENT: Yes. Senator Fifield?

Senator FIFIELD: This is not a personal explanation. I am contributing in the same vein as Senator Wong did only about 40 minutes ago.

The ACTING DEPUTY PRESIDENT: Okay; thank you, Senator Fifield.

Senator FIFIELD: The opposition have been running around talking to anyone who will listen to them today saying that the Senate has run out of business, that the government has mismanaged its legislative program. Nothing could be further from the truth. As you know, Mr Acting Deputy President, once there has been a double dissolution election the books are cleared of the parliament, in terms of legislation. Legislation needs to be reintroduced into parliament, which happened in the last sitting week in the House of Representatives. Notice is given, legislation is introduced and, in the ordinary course of events, you would expect to have legislation from the House of Representatives by this time. But the reason that we do not is that the Australian Labor Party have been playing petty undergraduate games in the House of Representatives today.

There is legislation in this place which is absolutely uncontroversial and which you would expect a responsible opposition would facilitate the passage of. That has not been the case in
the House of Representatives today. There are two pieces of legislation which the House of Representatives were planning to send to the Australian Senate today to be dealt with: the Registration of Deaths Abroad Amendment Bill 2016 and the Primary Industries Levies and Charges Collection Amendment Bill 2016.

I want to focus on one bill at the outset, and that is the Registration of Deaths Abroad Amendment Bill 2016. I put to you that there could not be a less controversial bill come to this parliament in this term than the Registration of Deaths Abroad Amendment Bill, yet the Australian Labor Party over in the other place today sought to deny the chamber the opportunity to have that bill read a third time. I see you raise an eyebrow, I think, Mr Acting Deputy President Ketter. Perhaps you are—

Senator Cameron: Mr Acting Deputy President, I rise on a point of order. The Senator should not reflect on the chair. It is a reflection on the chair, and Senator Fifield knows that.

The ACTING DEPUTY PRESIDENT: Senator Fifield, can I ask you the question: were you reflecting on the chair with that comment?

Senator FIFIELD: I was not, but perhaps I mistook your eyebrows. They were motionless. I stand corrected. You are impassive in the chair. But you may well have raised an eyebrow at the fact that the Australian Labor Party would seek to delay, frustrate, the consideration of the Registration of Deaths Abroad Amendment Bill. This is what the Australian Labor Party do time and again—they use procedural tactics to delay the consideration of legislation. They use procedural tactics to put off the opportunity for a chamber to address the legislation before it. They use these tactics, they delay the transmission of a bill to the Senate and then the Labor Party jump to the other side of the argument to say, ‘Why, oh why hasn't the Senate addressed this bill yet?’ when it is their own tactics in the other place that are preventing this legislation from being debated in the Australian Senate.

Let me take a moment to talk to the chamber about the Registration of Deaths Abroad Amendment Bill, which is the bill that Labor seeks to frustrate. What the bill seeks to do is to amend the Registration of Deaths Abroad Act 1984 to:

… enable the minister to appoint any state or territory registrar as the Registrar of Deaths Abroad; validate the prior appointment of the ACT Registrar-General as the registrar and validate any previous registrations of deaths; enable the registrar to register death that could have been registered under the law of a state or territory, where the state or territory concerned has provided notice that it will not register a death; and ensure that only the registrar can register deaths.

That is the summation from the Senate Table Office bills list, and I defy any colleague here to nominate another bill that has come before this place over the previous three years or in the coming three years, that is less controversial. This is the standard of the Australian Labor Party today. This is how low the Australian Labor Party have stooped—that they are seeking to delay consideration in the House of Representatives of the Registration of Deaths Abroad Amendment Bill 2016. Yet, as I said, Labor have been running around this building saying—and Senator Wong made a contribution before inferring the same—that somehow the government had not planned to have legislation addressed in the Senate today. What rot!

Let me point out for those opposite something that may have escaped them: for legislation to be considered by the Senate, it needs to have first passed through the Australian House of
Representatives. The Australian Labor Party are doing what they always do, which is to seek to be on both sides of an argument at the same time. On the one hand, they seek to delay passage in the House of Representatives and, when they have some success in that, they then run around to anyone who is listening and might not be following the proceedings closely in the two chambers and say, 'Gee, isn't it awful that the government don't have legislation to debate in the Senate?' when the reason for that is those opposite. It is breathtaking. It is not something that I, during my previous incarnation as the Manager of Opposition Business in the Senate, would have sought to do, firstly. Secondly, I would not have been so hypocritical as to seek to delay passage and then blame that on my opponents on the other side. It is seriously peculiar.

So we could well be debating the Registration of Deaths Abroad Amendment Bill 2016 and we could also be debating the Primary Industries Levies and Charges Collection Amendment Bill 2016 but, again, the Australian Labor Party in the other place have sought to deny that opportunity to the Australian Senate. It is unsurprising, therefore, that my colleagues on this side of the chamber have been contributing to the address-in-reply debate. I think numbers of colleagues would have assumed that that opportunity to contribute in the address-in-reply debate might have taken place tomorrow or the day after or in a couple of weeks time, because the address-in-reply debate is one that, historically, goes over many, many weeks.

But the reason why colleagues have been contributing today is that we have not been given the opportunity to consider the legislation that we were intending to consider, courtesy of the activities of the Australian Labor Party in the other place.

But I do wonder when Labor will start to live up to their post-election rhetoric. There was a cavalcade of Labor figures from the Leader of the Opposition, Mr Shorten, down who said that they wanted this to be a cooperative parliament, that they wanted this to be a parliament that worked, that the Australian people do not have time for petty games, that the Australian people want their elected representatives to get together and talk to each other to make this place and the place over the other side of the building work. We all heard that and we were tempted on this side to take that at face value. Indeed, we did initially take it at face value, that the opposition leader wanted this to be a parliament which was marked by cooperation, but from the first day of sitting all evidence has been to the contrary. From the first day of sitting, almost every word and every deed of the Australian Labor Party has not fulfilled that promise and that commitment made by Mr Shorten to have this as a Senate that would work.

I have spent a fair bit of time through the course of today on the phone to members of the Australian press gallery and in interviews explaining exactly what it is that the Australian Labor Party have been up to today, that they have indeed been talking out of both sides of their mouths at the same time, as they so often do. In this case, they have been talking out of one side of their mouths in the Australian House of Representatives, seeking to delay consideration of the Registration of Deaths Abroad Amendment Bill 2016 and then, out of the other side of their mouths, they talk to people in this building, members of the press gallery, saying 'Gee, you'd think the Senate would be considering legislation by now.' Their actions on the other side have stopped us doing that which we should be doing—looking at legislation.

The fact is the Australian Labor Party have chosen the most uncontroversial bill that they could possibly find. If Labor continue in this vein, the Australian people will recognise Labor for what they are—that is, an operation that is not fit for government. I know they are referred
to as the alternative government, but they are not an option that is fit for purpose. They are not an option that is ready for service. They are not interested in making this a place of cooperation.

I remember when I was the Manager of Opposition Business in the Senate, I was always looking for opportunities where we could make this place work. Where there was legislation that was not controversial, we did the right thing—we would not frustrate its passage simply for the sake of an exercise. Indeed, I remember some of my colleagues being critical, saying, 'Mitch, you're being too cooperative with the other side.' I stand guilty as charged, that I was endeavouring to make sure that we maintained the public interest at the forefront of our minds—where there was legislation that was not controversial, what was the possible point of frustrating that legislation? The only people you are seeking to punish by taking that approach are the Australian people. We are not interested in that.

When we were in opposition, we were interested in focusing on those areas of genuine disagreement. Who would have thought that the Registration of Deaths Abroad Amendment Bill 2016 would have become an issue of controversy in the House of Representatives. I do not think anyone on this side would have thought for a moment that the Australian Labor Party would have stooped so low as to delay and to make as an issue of controversy the Registration of Deaths Abroad Amendment Bill 2016.

**Senator Wong:** Bring it on as a debate. Come on. You've got the message. Why don't you bring it on?

**Senator FIFIELD:** The reason there has been a delay in that bill coming across here is not because of any action by this side; it is entirely because of the actions of those on the other side. Anyone watching the Australian House of Representatives today would have seen that—the Australian Labor Party seeking to deny the House of Representatives the opportunity to have the third reading of the Registration of Deaths Abroad Amendment Bill.

I will take Senator Wong's earlier interjection. She is proving what I said before that Labor speak out of both sides of their mouths. They seek to delay and frustrate in the House of Representatives, and then, out of the other side of their mouths, they come into this place and they say to the press gallery, 'Gee, the reason why the Senate isn't dealing with that piece of legislation is because of the government,' when it was the opposition itself that sought to deny the House of Representatives the opportunity to deal with that bill.

**Senator Wong interjecting—**

**Senator FIFIELD:** Mr Acting Deputy President Ketter, you can hear it yourself at the table—Senator Wong doing the old speak out of both sides of the mouth routine. Over on the House side, Labor seek to frustrate and delay and then, when the outworking of what they have done is a delay to the Senate considering something, they say, 'Oh, it's nothing to do with us'—it is entirely the Australian Labor Party.

The press gallery have seen through Labor's tactics today. The Australian people will see through the tactics of the Australian Labor Party as they display them day after day in the other place and as they display them day after day in this place. If any of us thought for a second that the Australian Labor Party wanted to turn over a new leaf this term, I make it clear, Mr President, that they will not. They will refuse to adopt a stance of cooperation. The Australian Labor Party cannot rise beyond petty, undergraduate student politics. They could
not in the last term; they will not in this term. It does not matter how much Bill Shorten pays service to the language of cooperation, they will not fulfil that.

The PRESIDENT: It being 2 pm, we move to questions without notice.

QUESTIONS WITHOUT NOTICE

Marriage

Senator FARRELL (South Australia) (14:00): My question is to the minister representing the Prime Minister, Senator Brandis. What is the government's position on public funding of the 'yes' and the 'no' campaigns for its proposed marriage equality plebiscite?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): Thank you very much indeed, Senator Farrell. I think I would be joined by most, if not all, of your colleagues in welcoming you back to the Senate. You are one of our favourite Labor senators—and we do not have many!

Senator Farrell: On a point of order, Mr President—I am everybody's favourite senator.

The PRESIDENT: That is no point of order, Senator Farrell.

Senator BRANDIS: Senator Farrell, you may well be right. Senator Farrell, as you know, at the recent election the government committed to having this matter disposed of by the parliament taking into consideration the views of the Australian people as demonstrated in a plebiscite. I will shortly be taking to the cabinet a submission to give effect to that commitment. That was a commitment that was endorsed by the Australian people at the recent election. As you know, Senator Farrell, questions of the kind which you raise are aspects of the design and architecture of that plebiscite. It will be considered by the cabinet, it will be considered by our party room through its ordinary processes, and when a decision is made I will make an announcement at the appropriate time.

The PRESIDENT: A supplementary question, Senator Farrell.

Senator FARRELL (South Australia) (14:01): Has the Prime Minister committed, either publicly or privately, to funding the 'no' campaign as part of his proposed plebiscite?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:02): The government's position, as expressed by the Prime Minister, as expressed by me, as expressed by other ministers, is perfectly clear: if there is public funding, it will be in equal shares between the 'yes' and the 'no' case.

The PRESIDENT: A final supplementary question, Senator Farrell.

Senator FARRELL (South Australia) (14:00): I refer to the statement by the Anglican Archbishop of Sydney, the Most Reverend Dr Glenn Davies, who says that the Prime Minister gave an unambiguous offer to fund the 'no' campaign. Who should the Australian people believe, the Archbishop or the Prime Minister?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:02): I am not going to comment on a meeting which I did not attend. I have seen the remarks attributed to His Grace the Archbishop. It would not be the first time in the history of the world that different people had different recollections of a conversation. But I can assure you that the government's position
...has been entirely consistent, and has never changed from the first day to this—if there is public funding, it will be in equal shares.

DISTINGUISHED VISITORS

The President (14:03): I draw to senators' attention the presence in the President's gallery today of former senator Brian Greig from Western Australia. Welcome to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

National Security

Senator Bushby (Tasmania—Chief Government Whip in the Senate) (14:03): My question is to the Attorney-General, Senator Brandis. Can the Attorney-General update the Senate on the current national security threat environment in light of the stabbing incident in Minto at the weekend?

Senator Brandis (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:03): Thank you very much, Senator Bushby. It is a very important issue that you raise. As honourable senators would know, yesterday morning a 22-year-old man appeared before Parramatta court charged with the offences of attempted murder and committing a terrorist act under section 101 of the Commonwealth Criminal Code. The charges relate to a horrific knife attack against a 59-year-old man at Minto, in south-western Sydney, on Saturday afternoon. The investigation is ongoing; however, police have confirmed that they will allege the act was an ISIL-inspired attack. Of course, our thoughts are with the victim of this attack and we pray for his quick and complete recovery.

I can assure honourable senators that there is no ongoing threat to the community arising from this particular incident, which was disrupted through the brave actions of bystanders in the community who put their own safety, and indeed potentially their lives, at risk to save the life of the victim. Of course, our thanks are also extended to the police, who subdued and arrested the attacker. Nevertheless, the National Terrorism Threat Level remains at 'probable', as it has been for two years, since it was elevated to that level on 12 September 2014. What that means is that a terrorism event of some kind is assessed as likely.

This is now the fourth attack in Australia since the National Terrorism Threat Level was raised, but in the same period our law enforcement and security agencies have disrupted and prevented a further 10 planned terror attacks. The Australian government is committed to doing everything it can to tackle the threat posed by terrorism and those who support it, and keeping our community safe.

The President: Senator Bushby, a supplementary question.

Senator Bushby (Tasmania—Chief Government Whip in the Senate) (14:05): Can the Attorney-General advise the Senate of the actions the government is taking to keep Australian safe from terrorism, and, in particular, what action it is taking in the region?

Senator Brandis (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:06): Yes, Senator Bushby, I can. Since August 2014, the government has invested an additional $1.3 billion to support Australia's efforts in combating terrorism. It has engaged in a program of significant...
counterterrorism law reform designed to give our law enforcement and security agencies the tools they need to disrupt and combat terrorism, and, while it is critical that we target the threat of ISIL at its base in Syria and northern Iraq, we are also working closely with our international partners, particularly our regional partners, to deal with radicalisation and violent extremism closer to home. Last year my Indonesian counterpart and I established a new Ministerial Council on Law and Security, to focus and coordinate our two nations' efforts to counter terrorism. Last month, the Minister for Justice and I attended an international summit on counterterrorism in Bali, hosted by the Indonesian government, and Australia and Indonesia co-hosted an important international conference on terrorism financing. (Time expired).

The PRESIDENT: Senator Bushy, a final supplementary question.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:07): Can the Attorney-General advise the Senate of the government's plans to introduce further national security legislation?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:07): Yes, Senator Bushby, I can tell you that this week the government will introduce into the parliament two further pieces of national security legislation. The Criminal Code Amendment (High Risk Terrorist Offenders) Bill will enable Supreme Courts, on the application of the Attorney-General, to make an order for the ongoing detention of high-risk terrorist offenders serving custodial sentences when the court is persuaded to a high degree of probability that they continue to pose an ongoing risk to the community were they to be released upon the expiry of their sentence. The government will also reintroduce the Counter-Terrorism Legislation Amendment Bill, originally introduced in November last year. The revised version of the bill adopts all of the recommendations made on a bipartisan basis by the Parliamentary Joint Committee on Intelligence and Security. Those bills will be the latest instalment in the architecture of protections for which this government is determined to—(Time expired)

Administrative Appeals Tribunal

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:08): My question is to the Attorney-General, Senator Brandis. I refer to the Attorney's media release of 6 May 2016 in which he announced 76 appointments to the Administrative Appeals Tribunal—the day before the commencement of the caretaker period. In particular, I note the Attorney-General's appointment of Mr Tavoularis to the position of full-time senior member—a $370,000 a year position. When and how did the Attorney-General become aware of Mr Tavoularis's interest in being appointed to the Administrative Appeals Tribunal?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:09): Mr Tavoularis's appointment to the Administrative Appeals Tribunal was extremely well received by the legal profession in Brisbane, to whom he is familiar. The appointment was made through the ordinary processes and was also an appointment made consistently with the protocol agreed to between the government and the Administrative Appeals Tribunal. When Mr Tavoularis was approached he agreed to accept the appointment, and the government thanks him for doing so.

The PRESIDENT: Senator Wong.
Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:09): I repeat my primary question: when and how did the Attorney become aware of Mr Tavoularis's interest in being appointed to the AAT. Could the minister answer that? I ask a supplementary question. On how many occasions and on which dates did the Attorney-General or members of his office discuss with Mr Tavoularis his proposed appointment prior to the matter being considered by cabinet?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:10): Senator Wong, I would not express the point in the way in which you have expressed it. When you say 'did I become aware of his interest', I approached him, as I approach any appointee. People do not approach ministers ordinarily and seek to be appointed to courts or tribunals. People do not ordinarily approach ministers or attorneys to seek to be appointed to courts or tribunals. Of all of the members of the bench to whom I have offered appointments, whether to the High Court, the Federal Court, the Family Court, the Federal Circuit Court or the AAT, I cannot recall a single occasion on which I have been approached. The ordinary procedure or protocol is for a person to be approached by government, and the ordinary protocols were observed on this occasion. (Time expired)

The PRESIDENT: Final supplementary question, Senator Wong.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:11): Given the Attorney-General has acknowledged that Mr Tavoularis is well known to him, that Mr Tavoularis has acted for his son and today that the Attorney personally approached him prior to the appointment, can the Attorney-General advise whether he declared a conflict of interest to the cabinet, as is set out in the Statement of Ministerial Standards and the Cabinet Handbook?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:11): Mr Tavoularis is a respected Brisbane solicitor.

Senator Wong: Answer the question, George.

Senator BRANDIS: There is no conflict of interest whatsoever. Mr Tavoularis was an extremely suitable person. The government is grateful to him for being prepared to accept this appointment. Since he has served in that office, he has served in an extremely diligent and admired manner. I spoke as recently as this morning to the president of the Administrative Appeals Tribunal. He has no criticism to offer of Mr Tavoularis's performance in the role.

Senator Cameron: It is about your behaviour.

The PRESIDENT: Senator Cameron!

Senator BRANDIS: I might say, Senator Wong: if your concern arises from the fact that it has been reported that Mr Tavoularis donated some years ago some money to the Liberal-National party, I might remind you that political affiliations are never an issue—never an issue—when considering appointment to courts and tribunals, as is evident from the fact that the president of the AAT was himself a former Labor minister. (Time expired)
Economy

Senator HUME (Victoria) (14:12): My question is to the Minister for Finance, representing the Treasurer, Senator Cormann. Can the minister outline to the Senate what the June quarter national accounts, released last week, say about Australia's economy?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:13): I thank Senator Hume for that question. The June quarter national accounts show that the Australian economy is growing at more than three per cent—3.3 per cent in fact—which is stronger growth than that achieved by any of the G7 economies. It is of course much stronger growth than that which we inherited from the previous Labor government. In fact, when we came into government in September 2013—about three years ago—the economy was weakening, unemployment was rising and the budget position was rapidly deteriorating. Indeed, in the previous 12-month period, the economy had grown at about two per cent—it is 3.3 per cent now—employment growth was very subdued and we were on track to reach unemployment levels of about six per cent and above. Now, growth is strong, at 3.3 per cent, and new jobs are being created.

Around 200,000 new jobs have been created over the past 12 months, with over 60 per cent of those jobs going to women. To put jobs growth in perspective, over 2½ times as many jobs were created in the last 12 months than in Labor's last 12 months in office. Business conditions remain elevated, above their long-run average. Consumer confidence is above average. The ANZ's weekly measure of consumer confidence remains elevated, at 114.3 points. Indeed, consumer confidence has been above average for 19 consecutive weeks—the longest stretch since late 2013. Exports are also very strong, at about 10 per cent above the level a year ago. International education is playing a large part in our services exports. So far this year over 217,000 international students commenced study in Australia—about 11 per cent higher than 12 months ago. (Time expired)

The PRESIDENT: Senator Hume, a supplementary question.

Senator HUME (Victoria) (14:15): Can the minister further update the Senate on what the government is doing to ensure that Australia continues to experience strong economic growth?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:15): I thank Senator Hume for that supplementary question. What we need to do is to continue to implement our national economic plan—our plan for jobs and growth—which was reflected, of course, in our 2016-17 budget.

Senator Cameron: What's the plan? What plan?

Senator CORMANN: Senator Cameron asks, 'What is the plan?' Well, it is: our plan to implement our ambitious innovation agenda to support start-up businesses and to encourage them to employ more Australians; our defence industry plan, which is designed to support local high-end manufacturing and shipbuilding; of course, our $840 million youth employment package; our export trade deals; our efforts to make our tax system more growth friendly, including a proposal to make our business tax rates, in particular, more competitive internationally. There are many other parts of this plan—our plan to better target superannuation tax concessions, tax cuts for families and, of course, our response to the
financial systems inquiry, our response to the Harper competition policy review— (Time expired)

The PRESIDENT: Senator Hume, a final supplementary question.

Senator HUME (Victoria) (14:16): Is the minister aware of any alternative plans that could put Australia’s future economic growth at risk?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:16): Sadly, Senator Hume, yes, I am. The Labor Party, the alternative party of government in this parliament, went to the last election promoting higher taxes on investment, which, of course, would be bad for investment, bad for jobs and bad for growth. They also promoted policies which would have worsened our budget deficit by at least $16.5 billion over the forward estimates. Respected economists said it would threaten our triple-A credit rating, which, of course, would be bad for economic growth moving forward.

What Australia needs right now is a government that continues to focus on making Australia more competitive internationally not less. We need a government that focuses on attracting more investment not less. We need a government that is committed to ensure that businesses across Australia who are employing Australians have the best possible opportunity to be successful so that individual Australians have the best possible future and are successful. (Time expired)

Donations to Political Parties

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:17): My question is for the Special Minister of State, Minister Ryan. Minister Ryan, the previous Manager of Opposition Business has stood down in relation to accepting payments from, ultimately, a commercial entity that has a strong financial interest in the way this parliament sets laws and policies. Yet, the senator did not breach any laws or contravene any regulations set by this parliament. Does the minister believe that laws governing donations, parliamentary expenditure and electoral spending should remain as they are? Or does he concede that they are in need of a serious overhaul?

 Senator RYAN (Victoria—Special Minister of State and Minister Assisting the Cabinet Secretary) (14:18): Senator Di Natale, as you know I was absent from the first sitting week. But I did witness the discussions over the last fortnight. I am glad that you draw a distinction between the events of the last fortnight that led to the then Manager of Opposition Business standing down and the issue of donations, because there is, of course, a distinct difference. There is a distinct difference between any member of this place receiving a personal contribution for a personal debt and the donations that go to political parties. That has been litigated and discussed at great length. I think the public attention has been drawn to that very important distinction.

On the issue of donations, Senator Di Natale, if there is an issue with our political donations regime, I am not one of the people that says it is rife with problems. I am a believer that people who want to make a contribution to our political process should be able to do so. I am believer that that is a form of their freedom of expression and that that is partaking in democracy. But, Senator Di Natale, to stand up and ask about donations when you yourself, in a radio interview last week, were corrected by your own party when you said there should...
only be people making donations from the electoral roll. Your own party then corrected you by saying that you do not want to ban corporate donations. You want to ban corporate donations as long as they are for-profits. It is okay for unions to make donations and contributions; it is okay for you to have the latest single contribution in Australian history—one in which you did not live by your own rules and you did not disclose until after the 2010 election, and it was described by the donor as a great return on investment. You, Senator Di Natale, do not have a great deal of credibility when you say, 'The people that donate to me get one set of rules, but if you are a for-profit corporation you, somehow, should have less ability to participate in our political system.'

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:20): Let me ask specifically. Will the government commit to working with the Greens and, indeed, with the crossbenchers and the Labor Party to allow the Joint Senate Committee on Electoral Matters to assess and, if need be, recommend laws that strictly restrict donations and campaign expenditure from all sources? And will they do that with a reporting date before the end of this year?

Senator RYAN (Victoria—Special Minister of State and Minister Assisting the Cabinet Secretary) (14:21): Far be it from me to try to direct the work of a committee of this parliament. I will say that I hope that later this afternoon—I hope I am not foreshadowing business, Mr President—the Senate will concur with the establishment of the Joint Standing Committee on Electoral Matters, which, I understand, is on the Notice Paper.

The government and I will be considering the reference—a standard measure provided to that committee after every election that occasionally specifies particular issues. That is a matter currently under consideration. But I say this again: if there is to be any movement on the issue of donations and disclosure, it cannot be to try to stack the electoral field one way, like when you come out and say, 'Corporations can't make a donation, but unions and non-profits can. There is no interest whatsoever in stacking the process. Until the Greens actually have a balanced position, they struggle for credibility on this matter.

The PRESIDENT: Senator Di Natale, a final supplementary question.

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:22): The Prime Minister did last week say that he was willing to change political donations laws, and I am encouraged that it is currently under consideration at the moment within government. Is the government also looking into the establishment of a national independent anti-corruption watchdog, without which we would have very limited capacity to investigate any possible breaches of donations disclosure or campaign expenditure laws?

Senator RYAN (Victoria—Special Minister of State and Minister Assisting the Cabinet Secretary) (14:22): Senator Di Natale, there have been a number of comments raised about this issue over the last couple of weeks. You correctly point to the comments of the Prime Minister, who also correctly outlined that the recent High Court decisions do have an impact on the ability of this parliament to limit donations and political contributions of other forms. So it is only appropriate that, if that is to be considered, those judgements be considered and the first test has to be creating a playing field that does not stack it on one side of politics or the other.
On the matter of your proposal for an independent commission, I am unaware of a change in the government's position, which was to not support such an institution, but that is outside my portfolio area and should probably be directed to the Attorney-General.

**Royal Commission into the Child Protection and Youth Detention Systems of the Northern Territory**

**Senator MOORE** (Queensland) (14:23): My question is to the Minister for Indigenous Affairs, Senator Scullion. I refer to the former Prime Minister Mr Tony Abbott, who says that the government reacted 'in panic' to the *Four Corners* report into abuse at the Don Dale Youth Detention Centre. Does the minister agree with Mr Abbott?

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:23): No.

**The PRESIDENT:** Senator Moore, a supplementary question.

**Senator MOORE** (Queensland) (14:23): Thank you, Mr President. Maybe the next question will pique the minister's interest. I refer to the current Prime Minister, Mr Turnbull, who said:

This is a shocking state of affairs and we will move quickly to establish what happened.

Does the minister agree with Mr Abbott that Mr Turnbull's action was an act of panic?

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:24): No.

**The PRESIDENT:** Senator Moore, a final supplementary question.

**Senator MOORE** (Queensland) (14:24): It is would be very, very useful to take a point of order on that question, Mr President. But I will go on to say: who does the minister agree with then? The Prime Minister, who says he was deeply shocked by the *Four Corners* report, or the former Prime Minister Mr Abbott, who claims it was, 'pretty one-sided'?

**Senator SCULLION** (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (14:24): Mr Turnbull.

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**High Court of Australia**

**Senator CULLETON** (Western Australia) (14:24): Mr President, I have just one question for Senator the Hon. George Brandis—

_Honourable senators interjecting—_

**The PRESIDENT:** Order on both sides. Senator Culleton, start again.

**Senator CULLETON:** Thank you, Mr President. One question for Senator the Hon. George Brandis QC Attorney-General and Leader of the Government in the Senate. Since Senate school, it has come to my attention that there is a discrepancy between section 33 of the High Court Act 1979—which states that all process shall, which means must, be issued in the name of the Queen—and the High Court Rules 2004. If this appears to be the case, why has the High Court felt free to defy the parliament for 12 years?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:25): Thank you, Senator Culleton. Congratulations on your inaugural question in this chamber. I must confess, Senator Culleton, I was not expecting to be asked about the High Court rules, an object of some fascination to
me, I might say. I will have a look at section 33 of the High Court Act and whether or not it is apparent that there is an inconsistency, as you say, between section 33 of the act and the rules made under the High Court Act.

As you would be aware, Senator Culleton, the rules of the court are procedural rules. They attach forms, usually, that are used in the process of the court and the various procedural steps in proceedings before the court. I must confess it has never been drawn to my attention before that there may be an issue about the consistency between the High Court rules and section 33 of the act, but, as I say, I will look at the matter.

Telecommunications

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (14:26): Mr President, my question is to the Minister for Regional Development, Minister for Local Government and Territories and Minister for Regional Communications, Senator Nash. Could the minister advise the Senate how successful the Mobile Black Spot Program has been in regional areas?

Senator NASH (New South Wales—Deputy Leader of The Nationals, Minister for Regional Development, Minister for Local Government and Territories and Minister for Regional Communications) (14:27): I thank Senator Williams for his question and his very longstanding hard work representing those in his communities. I am delighted to be able to stand here and say today that this coalition government has delivered a highly successful round 1 of the Mobile Black Spot Program. There were 6,000 blackspots identified. Round 1 of this program has addressed 3,000 of those blackspots, with 499 towers delivering new or expanded coverage outside our communities. It is a fantastic achievement.

This government is investing $220 million into improving the coverage of mobile phones across this nation. I can only say that is in stark contrast with those opposite, because when we look at what Labor did in terms of addressing blackspots and improving mobile phone coverage, it was absolutely nothing under the Rudd-Gillard government. Absolutely nothing. They delivered not one tower. They delivered not one tower and not one dollar. The contrast between those opposite—the previous Labor government—and what this coalition government is doing is amazing.

The Auditor-General in the recent ANAO report found that we will provide expanded coverage to 162,000 square kilometres. We are, overall in round 1, in partnership, delivering $385 million worth of investment. What did Labor deliver? Absolutely nothing. It is an indictment of the Labor government that they addressed this not once.

The PRESIDENT: Senator Williams, a supplementary question.

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (14:29): Mr President, I ask can the minister further update the Senate on how successful the Mobile Black Spot Program has been and whether it is meeting its objectives?

Senator NASH (New South Wales—Deputy Leader of The Nationals, Minister for Regional Development, Minister for Local Government and Territories and Minister for Regional Communications) (14:29): I can indeed say that not only has this been an incredibly successful program in round one; it has also met its objective. Perhaps those opposite in the Labor Party might like to actually read the ANAO report into this, because clearly they have not. The Auditor-General found that
The department’s approach to identifying mobile black spots was pragmatic.

The ANAO went on:

The key decisions in the assessment of proposals, including the awarding of points and compilation of the merit list were conducted by the department in accordance with the guidelines and were appropriately documented. The recommended list of proposed base stations to the Parliamentary Secretary and the Minister was also consistent with the department’s assessment, merit-listing and application of the equitable distribution principles...

Unlike what we saw previously from those who have not complied. Indeed, in the past there have been ANAO reports that were scathing of previous Labor ministers in this regard.

**The PRESIDENT:** Senator Williams, a final supplementary question.

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (14:30): Can the minister explain how transformative the Mobile Black Spot Program will be for those living in regional Australia and experiencing poor mobile phone coverage?

**Senator Kim Carr interjecting**—

**Senator NASH** (New South Wales—Deputy Leader of The Nationals, Minister for Regional Development, Minister for Local Government and Territories and Minister for Regional Communications) (14:30): I will take that interjection from Senator Carr saying, 'You have to turn it on.' We are turning them on; it is the Labor Party that never turned on one—not one. We are seeing them rolled out at Carlisle River, Deniliquin, Clarke Creek, Ajana, Drake—the list goes on and on. The Labor Party cannot point to one town that has received better mobile phone coverage across the country under them, under the previous Labor government. It is an absolute indictment of them when we look at the comparisons: square kilometres of new coverage being delivered—by the coalition 162,000, Labor zero; black spots being fixed—3,000 under us, Labor zero; dollars invested while in government—by the coalition $220 million, Labor zero. I table the 499 base stations funded under round 1 and also the record of the Rudd-Gillard-Rudd Labor government of mobile phone black spot delivery.

**Defence Procurement**

**Senator KIM CARR** (Victoria) (14:32): My question is to the Minister for Defence, Senator Payne. I refer to the leak of 22,000 pages of secret documents related to the Scorpene submarine, which Minister Pyne has said have no bearing on Australia's submarine program. If that is the case, can the minister explain why the Prime Minister took the considerable step of raising the leaks with the French Prime Minister while attending the G20 meeting?

**Senator PAYNE** (New South Wales—Minister for Defence) (14:32): I have to indicate to Senator Carr that I do not agree with the premise of his question. I do not think it was a 'considerable step' for the Prime Minister to raise the issue in a bilateral meeting with President Hollande. In fact, I think it was an entirely appropriate matter for discussion. The Prime Minister indicated that in relation to the security of matters around the Future Submarine Program—and, quite frankly, for that matter the Collins class submarine program—we should have a 'ferocious commitment' to security. I endorse that—I have repeated it myself—and I completely disagree with Senator Carr.

**The PRESIDENT:** Senator Carr, a supplementary question.
Senator KIM CARR (Victoria) (14:33): I refer to the Minister for Defence Industry, Minister Pyne, who last week sought to trivialise the issue by saying: The leak of those documents, they were not top secret documents … Can the minister advise what classification of secret documents we would need to have for Minister Pyne to take a leak seriously?

Senator PAYNE (New South Wales—Minister for Defence) (14:33): I would have thought Senator Carr was more than well aware of the classification arrangements relating to documents concerning matters of security—cabinet and otherwise—and I am sure he can determine that for himself.

The PRESIDENT: Senator Carr, a final supplementary question.

Senator KIM CARR (Victoria) (14:33): I ask the Minister for Defence: do you support the Prime Minister's assessment that the matter is serious, or the dismissive attitude of the Minister for Defence Industry, Mr Pyne?

Senator PAYNE (New South Wales—Minister for Defence) (14:34): I believe I have already indicated to the Senate that I agree with the way in which the Prime Minister raised the matter with President Hollande. The Prime Minister has indicated that what we should have in this regard is a 'ferocious commitment' to security concerning the Future Submarine Program, and I have nothing further to add.

Building and Construction Industry

Senator REYNOLDS (Western Australia) (14:34): My question is to the Minister for Employment, Senator Cash. Can the minister inform the Senate of the economic benefits that will follow a restoration of the rule of law in the building and construction industry?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:34): I thank Senator Reynolds for her question. I think all of us in this chamber know that Australia's building and construction industry is vital to job creation and is vital to a productive, prosperous and—more than that—internationally competitive Australia. Our construction industry is our third largest industry. It employs one million Australians, and these one million Australians support hundreds of thousands of small businesses. The industry itself accounts for eight per cent of our gross domestic product.

Australians rely on the hardworking men and women in the construction industry to build our schools, to build our roads and to build our hospitals. However, what they are faced with—and what we are faced with as Australians—is an industry that is plagued by a widespread disregard for the law. When an entire industry is plagued with a widespread disregard for the law this impacts heavily on productivity and it ultimately costs Australian jobs. To do their jobs effectively, workers in the building and construction industry need a work environment that is cooperative, is productive and—more than that—is one where the rule of law is enforced. Two royal commissions have confirmed that this industry is held back by illegal industrial action and stained by a toxic culture of bullying and thuggery. It is also corrupted by a militant union that considers itself above the law. No-one is above the law. When projects can be delivered on time and on budget this invites more investment in Australia and it results in more projects, more jobs, more public infrastructure and greater economic activity. That is why we are committed to the restoration of the ABCC.
The PRESIDENT: Senator Reynolds, a supplementary question.

Senator REYNOLDS (Western Australia) (14:36): Can the minister also provide any recent examples that show how current penalties are not a sufficient deterrent to thuggery and lawlessness in the building and construction industry?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:36): The latest ABS data itself reveals working days lost in the construction industry jumped by 50 per cent in the June quarter and accounted for 66 per cent of working days lost, highlighting once again the need for the restoration of the ABCC. A huge 16,200 working days were lost during the three-month period—far more than any other industry. And then of course the industry deals with bullying and thuggery. Recently we have heard of a CFMEU official threatening and insulting a female workplace inspector who was just there doing her job, ensuring that the building site was safe and that people were complying with the law. I will not say what she was called in this chamber because, quite frankly, it was disgusting. But suffice to say, this type of behaviour would not be tolerated in any other workplace in Australia. The restoration of the ABCC will ensure that this type of behaviour is not allowed to occur.

The PRESIDENT: Senator Reynolds on a final supplementary question.

Senator REYNOLDS (Western Australia) (14:38): Can the minister also outline how the government's reforms will benefit workers and small businesses across the construction industry?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:38): The hundreds of thousands of small businesses—and they are often forgotten about the context of the building industry—need a system that is fair and that enables them to participate, and this is currently not the case. This was highlighted by the recent Federal Circuit Court decision in which a head contractor, J Hutchinson, was fined for discrimination of the worst category. What happened was Hutchison cancelled the engagement of a tiling subcontractor because the firm did not have an enterprise agreement with the union. What our new building code will do though is protect subcontractors and small businesses from these types of practices by head contractors.

It is a fact that big employers and big unions can collude together to lock out the smaller players from within the industry. Our legislation will fix this problem and empower small business and subcontractors to participate in this vital industry.

Australian Renewable Energy Agency

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (14:39): My question is to the minister representing the Prime Minister, Senator Brandis. I refer to the government's plans to cut $1.3 billion from the Australian Renewable Energy Agency and to stop it from making clean energy grants. It has been estimated that this would kill 120 more jobs at the CSIRO and would jeopardise the creation of some 5,100 jobs in regional Australia where they are desperately needed. Renewable energy is clearly one of the fastest growing global industries and Australia could be leading the way in clean energy job creation and in tackling climate change. How is gutting ARENA consistent with creating jobs and growth?
Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:39): Really, I thought I had heard everything. To hear you, of all people, crying crocodile tears about jobs in regional Australia when you have, over the last two years, led a campaign in this chamber to close down—or prevent the development, I should say—of the Adani coalmine in central Queensland, the greatest and largest prospective source of employment in central Queensland, a region—

The PRESIDENT: Pause the clock. Senator Waters, on a point of order?

Senator Waters: Yes, a point of order firstly on relevance given that the minister is not answering the question and secondly on misleading the chamber given that a Adani will not create anywhere near that amount of jobs and the attorney knows that full well.

The PRESIDENT: Thank you, Senator Waters; you are debating the question. There is no point of order in the sense that Senator Brandis is only just into answering the question.

Senator BRANDIS: Senator Waters, you raised the issue. I am just pointing out to you that you have led a campaign to prevent the greatest economic opportunity presenting itself to the people in central Queensland, a region, which, if you ever cared to visit it, Senator Waters, you would find is in bad economic shape at the moment. And people in Rockhampton, people in Mackay, people in Gladstone and people in Emerald are desperately looking to the Adani mine and the—on some estimates—up to 10,000 jobs that the Adani mine would create to secure their futures and the future of their children and their grandchildren. And you, Senator Waters, stand in the way of that and you come into this chamber crying crocodile tears about jobs in regional Queensland.

The PRESIDENT: Attorney-General, I will remind you of the question.

Senator BRANDIS: Thank you, Mr President, for reminding me of other part of Senator Waters's question. It is the case that, as part of its budget repair, the government plans to realise $1.3 billion in savings from ARENA. But I might point out to you that ARENA will continue to administer and fund its existing portfolio of 252 funded projects, and to jointly manage the $1 billion Clean Energy Innovation Fund with the Clean Energy Finance Corporation. So far ARENA has provided—(Time expired)

The PRESIDENT: Senator Waters on a supplementary question.

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (14:42): Given that both the coalition and the Labor Party have agreed to cut the Australia's greenhouse emissions under the Paris climate agreement—although not by as much as the science says we should—and both have agreed on a renewable energy target, albeit a lower one, why are you now also both agreeing to cut the one agency that is central to meeting both the Paris target and the Renewable Energy Target?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:43): At least we have been consistent on this issue unlike the Labor Party, which undertook during the election campaign that it would support this budget saving measure, but now, having lost the election, comes back into this chamber threatening to block this budget savings measure. But we will hear more about that later in the week, Senator Cormann, when we debate the relevant budget measures.
The sad reality is that, because of the size of the debt and deficit that we inherited some three years ago when we came into office in September 2013, hard choices had to be made to get the budget under control. So what the government did, particularly in the 2014 budget, was it identified those areas of the government activities where economies could be made and this was one of them.

**The PRESIDENT:** Senator Waters on a final supplementary question.

**Senator WATERS** (Queensland—Co-Deputy Leader of the Australian Greens) (14:44): Given that both the coalition and the Labor Party have received $3.7 million from the fossil fuel industry over the last three years and given that both of them also support $24 billion over the forward estimates in subsidies to that sector—there is a budget saving for you—and both appear set to support the ARENA cuts, are these cuts simply a way of stopping competition to the fossil fuel sector?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:44): No, they are absolutely not, Senator Waters. They are economies for the reason I explained in my answer to your first supplementary question. And, Senator Waters, I have to pull you up in answer to your first question for your double standard in pretending to be interested in jobs in regional Queensland when you have been the principal enemy of the greatest potential source of jobs in regional Queensland. Now, in your second supplementary question, you ask a question about large donations from the fossil fuel industry, when your political party, the Greens, were the beneficiary of the largest single corporate donation in Australian political history, from Mr Graeme Wood and Wotif. So, please, Senator Waters, do not—

**Senator Whish-Wilson:** On a point of order, Mr President. Senator Brandis is misleading the chamber. It was not a corporate donation; it was a personal donation.

**The PRESIDENT:** There is no point of order, Senator Whish-Wilson. That was debating the issue.

**Senator BRANDIS:** Senator Whish-Wilson, you are welcome to make points of order on my answers any time. Alright, Senator Whish-Wilson, I take your point: it was a personal donation of $1.2 million to the Greens by Mr Graeme Wood of Wotif.

**Solicitor-General**

**Senator CONROY** (Victoria—Deputy Leader of the Opposition in the Senate) (14:46): My question is also to the Attorney-General, Senator Brandis. On 4 May 2016, the Attorney-General tabled an explanatory statement regarding his directions to the Solicitor-General. The statement said:

As the Direction relates to the process for referring a question of law to the Solicitor-General, the Attorney-General has consulted the Solicitor-General. Does the Attorney-General stand by this assurance?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:46): Yes, I do.

**The PRESIDENT:** Senator Conroy, a supplementary question.

**Senator CONROY** (Victoria—Deputy Leader of the Opposition in the Senate) (14:47): When and how was the Solicitor-General consulted?
Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:47): During the course of a meeting in my office on 30 November 2015.

The PRESIDENT: Senator Conroy, a final supplementary question.

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:47): Is the Attorney-General's assurance that he consulted the Solicitor-General as reliable as the statement that he had consulted with Mick Gooda on the establishment of the royal commission into the Northern Territory juvenile detention system—a statement Mr Gooda is reported to have refuted?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:47): I actually do not have the faintest idea what you are talking about, Senator Conroy.

Mining Industry

Senator O'SULLIVAN (Queensland) (14:47): My question is to the Minister for Resources and Northern Australia, Senator Canavan. Could the minister inform the Senate of the current state of the mining and resources sector in Australia and of the benefits it brings to Australians?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:48): Thank you, Senator O'Sullivan, for your question. The mining sector remains of incredible importance to our national economy. As the Minister for Finance was saying earlier in question time, our economy remains strong—one of the strongest in the world. We have had a period of almost unprecedented continual economic growth in this country. A lot of that is, of course, due to the strength of our resources sector.

It remains a very resilient sector. It is a sector that has gone through a massive change and a boom, but that now, thanks to that investment boom, is bigger than it has ever been—at least since the war. It is going to be a bigger deal in our economy going forward because of that investment. The starkest statistic that shows this is that before the boom fewer than 100,000 people were employed in the sector and now more than 200,000 Australians owe their jobs to the mining sector.

Last week I was fortunate enough to be in Senator Cormann's spot over there in the Pilbara and I was taken around in a bus by a guy called Tony. Tony grew up in Newman, a small town in the Pilbara region, and he has been able to stay in Newman, thanks to the benefits of the iron ore industry and having a job there. He loves it there in Newman. It gives him a chance to go camping there. It is a beautiful part of our country, and he is able to stay there because he has something to do from Monday to Friday by working in the iron ore sector.

It is an incredibly resilient sector, too. It has gone through tough times, with the lower prices at the moment, but one thing we should reflect on is that, in the last financial year, productivity in the resources sector increased more than 20 per cent. Labour productivity is up by more than 20 per cent—a remarkable achievement from a strong sector of our economy. Multifactor productivity, which takes into account capital investments, is up five per cent—a very strong result, contributing to our strong economic performance over the past year. Of course, while prices have been low, they have bounced back lately. Met coal prices are up...
over 100 per cent, thermal coal prices are up 20 per cent and iron ore has stayed stable. It is a strong sector and it is continuing to contribute to our very strong economy.

The PRESIDENT: Senator O'Sullivan, a supplementary question.

Senator O'SULLIVAN (Queensland) (14:50): Can the minister explain what the government is doing to promote further mining investment?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:50): One of the consequences of those lower prices I mentioned—although they have come off lows—is that the first thing that gets cut is exploration for new resources. In this environment, companies will typically cut back on exploration, and exploration investment is down more than 30 per cent in some of our resources sectors. That is why the government is responding to fill that gap—or at least partly fill that gap—by doing some of our own exploration, which we already do through Geoscience Australia. They do fantastic work.

In the budget before the election we announced that we had put another $100 million into this environment, in the Exploring for the Future program, to look at areas of our country that are unexplored that might have the next big new find. That happened in the Browse Basin in the 1990s. Geoscience Australia found those resources with only a $3 million dollar initial spend—now that is a multibillion dollar project for our nation. That is what we hope to achieve, and that is why the government are supporting the sector by trying to find new resources and to create just as much of a boom as we have had. (Time expired)

The PRESIDENT: Senator O'Sullivan, a final supplementary question.

Senator O'SULLIVAN (Queensland) (14:51): Can the minister outline to the Senate how these initiatives will benefit regional Australia?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:51): Of course, almost by definition, all mines are located in regional Australia, but so much of urban Australia owes almost its birth to the resources sector. So many cities around this country owe, if not their birth, their initial growth to the investment that was put in place by mining. Of course, Melbourne is one of the prime examples of that with the goldmining sector. Where I was last week, with Tony—Newman is a mining town and would not be there without the iron ore industry. Where I am from, Rockhampton, was a goldmining town thanks to Mount Morgan, and it now benefits from the coalmining sector in this region.

So many of our regional centres rely on this sector; that is why it is a sector this government supports. We support those sectors of our economy that provide wealth and create jobs, that allow us to have a very prosperous economy and to spend money on services for the wider Australian public, be they hospitals or schools. The mining sector helps pay the bills, and that is why we support it.

**Australian Pesticides and Veterinary Medicines Authority**

Senator CAMERON (New South Wales) (14:52): My question is to the Minister representing the Deputy Prime Minister and Minister for Agriculture, Senator Canavan. I refer to the statement of the Deputy Prime Minister, who said that the relocation of the Australian Pesticides and Veterinary Medicines Authority to his own electorate would be carefully considered, managed responsibly and undertaken in consultation with staff, clients and stakeholders. Why is the minister ignoring the National Farmers' Federation, which in June
voted against the relocation of the authority, and the concerns of Agribusiness Association of Australia, CropLife Australia and Animal Medicines Australia?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:53): I thank Senator Cameron for his question. It is actually a convenient segue from what I was just talking about—about how we believe in supporting the regions, on this side of politics; we believe in growing regional Australia; and we believe in creating new opportunities for those people who live in smaller towns, who might not have the benefits of those of us in larger cities.

This town here, where some of those organisations Senator Cameron mentioned reside, benefited greatly from that government investment, that government involvement in creating those investments in those agencies, and that is what we want to try to do in other towns as well.

The PRESIDENT: Senator Cameron, a point of order.

Senator Cameron: Thank you, Mr President. This is a segue from the question. The question was: why is the minister ignoring all of these organisations who rely on this organisation? He has not gone near that, and I want to know why he is ignoring the Farmers' Federation, Agribusiness et cetera.

The PRESIDENT: Thank you, Senator Cameron. The minister has only just commenced his answer. I will remind the minister of the question.

Senator CANAVAN: Through you, Mr President: Senator Cameron, I have great respect for organisations like the National Farmers' Federation and other stakeholder groups, but I am here and the government is here to represent the people that elect us. We are all here as representatives of the people, not of particular organisations, not of particular stakeholders or sectional groups. We are here to represent the people we represent. I am proud, down here in our little corner of the National Party, to represent regional Australia. Many senators in the Liberal Party as well represent regional Australia, and many of our crossbenchers, and some Labor senators—unfortunately, fewer than before the election—represent regional areas. I am proud that we represent those people. I am proud that we have a plan to try to create more opportunity for them.

So, while I accept that others will have different views on this issue and that others may disagree, as is their right to do, with our decision on these matters, we have made this decision. We have made it publicly. We took it to the election and the government was re-elected, and we have every intention of making sure that we meet our commitments to the Australian people that we made. One of these that is very important is growing our regional towns and communities, particularly by providing the seed capital, if you like, through government investment and government placements of staff, so that the broader economy can be created in our regional and country towns.

Senator CAMERON (New South Wales) (14:56): I ask a supplementary question. I refer to the Deputy Prime Minister's comments yesterday that the cost-benefit analysis is complete; and in some areas it is indeterminate, in some areas it is saying it is of benefit and in other areas it is saying it is not of benefit. Why won't the Deputy Prime Minister front up to the Australian people about the cost of the relocation and its implications for the future of APVMA itself and its staff?
Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:56): As I said in answer to the prior question, this has been a very public process the government has gone through to announce these potential relocations. We have gone through lots of consultation, as the senator indicates, and the responses of the various groups involved. The government has done a lot of work looking into the costs of this particular change, but of course as the government we will make a decision based on those costs and benefits, and we have made that decision—

The PRESIDENT: Senator Cameron, a point of order.

Senator Cameron: Again on relevance, Mr President. I was not asking about the government's decision-making processes. I was asking why they will not be up-front with the Australian people about the costs of this relocation and the implications for the APVMA.

The PRESIDENT: Thank you, Senator Cameron. You did ask about why the government will not be up-front, and the minister answered that the government has been transparent, so the minister has been relevant.

Senator CANAVAN: Thank you, Mr President. We have been very up-front with the Australian people about our plans. We have just gone to an election where those plans were put in front of the Australian people. I know these particular policies are very well supported in the regional communities that I represent, and we have every intention of making sure we meet those commitments. We have had a look and investigated the costs and benefits, and we have made a decision for the benefits of the broader Australian people, as we are here to do.

Senator CAMERON (New South Wales) (14:58): I ask a further supplementary question. I refer to the CEO of the National Farmers' Federation, Simon Talbot, who says, 'We can't afford policies which put productivity second to political objectives.' Why is the Deputy Prime Minister putting his own personal political interests above the interests of Australian farmers?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:58): I believe there is a new CEO of the National Farmers' Federation now, but, be that as it may, as I said before, I fully respect and consider the views of the National Farmers' Federation. They are right and proper to put those views. We as the government of course have to make a decision for a broader constituency, including the people that live in regional Queensland, so I respectfully disagree with the views of the National Farmers' Federation in this instance. We have made a decision to make these decisions—

The PRESIDENT: Order! Pause the clock. Senator Cameron, point of order.

Senator Cameron: Again, this is on relevance: I would like the minister to address the issue that has been raised by the former CEO of the National Farmers' Federation, and that is that they are putting productivity second to political objectives. The minister has not gone near that issue, and the issue of productivity in the industry is important and should come before political objectives.

The PRESIDENT: Thank you, Senator Cameron. On the point of order: you did ask, 'Why is the Deputy Prime Minister putting personal interests ahead?' The minister then answered that by saying, 'The government is making these decisions to relocate,' and that he disagreed with the National Farmers' Federation on this instance. So the minister has been directly relevant. I call the minister.
Senator CANAVAN: I think it is very important here to point out that this is a policy for all regional Australians that we are trying to achieve around the country. So we are moving the Fisheries RDC to Adelaide. We are moving the Grains RDC offices to Toowoomba, to Dubbo, to Perth and to Adelaide. We are in the process of moving a RIRDC office to Wagga Wagga. To all of these towns, the Labor Party would like to deny the opportunity of having government invest in their town. I think it is important—

The PRESIDENT: Order, minister. Senator Cameron, a point of order?

Senator Cameron: Yes; a point of order, again on relevance: we may get to these other pork-barrelling rorts down the track—

The PRESIDENT: Order, Senator Cameron!

Senator Cameron: but that is not what I asked in this question.

The PRESIDENT: That is not a point of order, Senator Cameron. You know that is not a point of order. Minister, you have six seconds left. Have you concluded your answer? Minister.

Senator CANAVAN: Mr President, I very much thank Senator Cameron for his question, for my ability to outline what the government is doing for regional Australia, while the Labor Party do not want to do— (Time expired)

Senator Brandis: I ask that further questions be placed on the Notice Paper.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS
Australian Renewable Energy Agency

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:00): Mr President, may I correct an answer I gave to a question asked of me by Senator Waters. I said in answer to Senator Waters' question that Mr Graeme Wood of Wotif had donated $1.2 million to the Greens, but I am advised that the actual figure is $1.6 million.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS
Marriage

Senator CAMERON (New South Wales) (15:01): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Farrell today relating to a proposed plebiscite concerning marriage equality.

I think the failure of the Attorney-General to properly answer any of these questions is pretty typical of the failure of this government to deal with the real issue that is affecting the lives of many Australians, and that is: why they should be treated differently to other Australians who have got rights in this country.

Senator Farrell had asked about the issue of public funding of the 'yes' and 'no' campaigns for the proposed marriage equality plebiscite. Well, we know that there are some groups in this country that want to get funded so that they can get up and denigrate other Australians' rights to have a loving relationship in the same terms as every other Australian has the right now. This is unacceptable in a modern economy. This is unacceptable in a modern democracy. It should not be so. Everyone should get access to the same rights.
I find it unbelievable that a government that claims it is about the proper economic stewardship of this country would contemplate spending what some people have estimated to be nearly a quarter of a billion dollars, to have a so-called plebiscite that will not be binding on parliamentarians and will not mean anything to anyone coming in here who will be entitled to vote according to their conscience or religious beliefs. It will not be binding. It will not deal with this issue effectively or properly.

I would say that there is a quarter of a billion dollars that could be spent better elsewhere. And it is clear that the Prime Minister, Malcolm Turnbull, has a view that is different from the view of the Anglican Archbishop of Sydney, the Most Reverend Dr Glenn Davies, who said that the Prime Minister gave an unambiguous offer to fund the 'no' campaign. Well, after watching this Prime Minister in inaction—not in action, but in inaction—for 12 months, there is only one person you would believe out of that conversation, and that would be the Archbishop of Sydney. The Anglican Archbishop of Sydney had absolutely no doubts about what the Prime Minister had offered, and the Prime Minister had offered funding. And I am saying that some of the groups who are looking for funding want to use that funding to have government-sponsored, publicly-funded campaigns to denigrate our fellow Australians. That is an unacceptable proposition.

The view that I take and that the Labor Party takes is that we should not be wasting time and money going to a plebiscite that will simply generate hate and fear amongst our fellow Australians. We should be ensuring that we are dealing with the real issues in this country. And one of the issues should be that this parliament comes together and does its day job—that is: to come here and make a decision, as we have been elected to do, in the interests of Australian citizens and provide equal rights to all Australian citizens. Whether you are lesbian, gay, transgender or transsexual, you should have the same rights as every other citizen.

Why should our fellow Australians be subjected to a government-funded campaign of denigration against their rights as Australians to love a fellow Australian and get married in this country? This is an obnoxious proposition, this plebiscite. This is a plebiscite that has been forced on the Prime Minister by the extreme right in this government. It is a plebiscite driven by the right wing on a weak prime minister. (Time expired)

Senator PATERSON (Victoria) (15:07): I thank those opposite for providing this opportunity to comment on this issue. As a newer senator, I have not had the opportunity to put my views on this broader issue on record. I would like to use this as an opportunity to do so. For the record, I am a supporter of same-sex marriage and I have been public in my support for same-sex marriage for some time. I first advocated for same-sex marriage in 2011, when I was appearing in my capacity at the Institute of Public Affairs on the ABC’s Q&A program.

I am not too keen to hear lectures from those opposite about where we stand on this issue and what we have done on this issue, because unlike many of them I have been on the record in favour of same-sex marriage for longer than they have. In 2011, when I advocated it, your Prime Minister was opposed to it and your party, in large part, was opposed to it. Many of you have come to the party on this issue in more recent times and I congratulate you for it, but I will not be accepting any lectures from those opposite about supporting same-sex marriage.
You had six years in government to address this issue and you missed that opportunity every one of those years. You took no action to address this issue.

For me, same-sex marriage and my support for it is in part about equality, and I respect those opposite who put that argument forward, but it is also about freedom. I think two people who love each other and who happened to be of the same gender should have the freedom to marry. I do not think it is an appropriate role for government to prevent people who wish to marry from choosing to marry, I do not think it is appropriate for them to prevent gay couples from calling their relationship a marriage and I do not think it is appropriate for government to stop people standing up, celebrating that love in front of everyone and calling it a wedding. Having said that, I do hold genuine and sincere concerns about freedom of religion and freedom of conscious. I am very keen to ensure that those are sufficiently protected in any bill that does legalise same-sex marriage, whatever the mechanism.

On the question of the plebiscite, I think this is an entirely reasonable solution to a problem which the parliament has proven itself incapable of resolving. Over the last nine years, this has been one of the most debated issues in our parliament. It is an issue which has had many private members’ bills and many hours of debate. There are few other policy issues that had been examined in any greater detail or at any greater length. I think a reasonable solution—which we took to the last election, which we won, and which we have a mandate for—is to have a plebiscite. I think that is a reasonable solution to the parliamentary deadlock that we have had on this issue.

On the question of funding for the yes and no cases in this plebiscite, as members opposite will be aware from the Attorney-General’s answer in question time, this is a question which is yet to be resolved. It is a question which the cabinet will discuss, and it is a question which the party room will discuss. We have made clear though that if there is to be any public funding, then it should be equal.

My own personal view is that there should be no public funding for either the yes or the no case. If there is to be funding, in my view it should be the absolute bare minimum. I do not hold that view because I think advocates of the traditional definition of marriage will be bigoted, will be hateful or will engage in denigration, as Senator Cameron suggested. I think they hold their beliefs in a sincere way and I do not think they are motivated by homophobia, although there are some people in our community who do hold those views. I think those who oppose this change will be very careful in the campaign to be as respectful as they should be to ensure that their campaign receives the support that they would like it to in the Australian committee.

My reason for opposing public funding for either the yes or the no case is that I think if we cannot think of a better way to spend taxpayers’ money than in a political campaign, then I think we are not doing our jobs. My view is that there are better ways of spending this money. If people want to raise money themselves to spend in this campaign, then I wish them the absolute best in doing so. They should do as any other organisation campaigning for or against community change or social change does. They are able to fundraise from their supporters to generate support for their ideas and to use their position in the community to raise that money and support themselves. I do not think there is a compelling case for taxpayer funding in this instance.
Senator MOORE (Queensland) (15:11): I really welcome Senator Paterson's comments and his personal opinion on the issue of marriage equality, though that was not the point about which this taking note was called. When Senator Brandis was responding to the question, he ended his comments by saying that it is not unusual for two groups to have different views about what happens in a certain process. Of course, that is one of the real problems we have: it is never unusual for people to walk away from a conversation and be unclear as to exactly what the intent or the purpose of that conversation was.

However, in this case I am slightly disturbed, as this issue of the plebiscite was raised by the government as their great response to the concerns about same-sex marriage in our community. They lauded the issue of a plebiscite and talked about at length. From the very start of those discussions, one of the simple questions that came forward was whether there would be paid funding from the government around a plebiscite. That was because our most recent experience of a plebiscite in this country—probably one of the few experiences of a plebiscite in this country—was around the referendum. In that case, through the whole process—it was not a plebiscite but it was asking the public what they thought of an issue before it came back to the parliament—there was significant public funding.

I remember when we had our Senate inquiry, at the very start of this discussion, around plebiscites and same-sex marriage. The issue of public funding was key in that Senate inquiry. I ask people to go back and read the Hansard of that Senate process. At the very start, this was a question that people were asking when the government decided that this was the way they were going to handle the process. I do want to quote Senator Brandis's discussion about how the parliament would handle it. He used a term with which I was not familiar. He said the way that this issue would be 'disposed' of by the parliament would be through a plebiscite. That was a position that I was interested in, that we were going to 'dispose' of the whole process via plebiscite, in terms of where we are going.

The ongoing discussion about whether there was public funding was key to the questions that were being asked by the community leading up to the election and during the election, though I am not convinced that it was a core issue for the election; but nonetheless this was something that was discussed. I know that people were interested. I was not at the meeting that has been discussed in the media, where there seems to be situation where the bishop and some other people who were at that meeting seem to have gone away from that particular meeting with a clear understanding that there would be public funding. That is now a view we believe that the Prime Minister does not share. At the same meeting, he and his advisers, walking away from that process, did not seem to understand that that was the kind of understanding that would be taken away by others.

It worries me that, on such a clear element of the whole issue of a plebiscite, there is this confusion and there is this misunderstanding, even after we have had public announcements of how much this plebiscite would cost. This issue has been the public arena since the very start. That is an issue that has been raised in this place, and we are still not clear about it because there has been no statement from the government except from Senator Brandis, who said that if there is going to be public funding—that was his statement, the great 'if'—that would be part of the decision that is made through their standard practices through that process. What we can take away from today is that, if there is going to be public funding, which we will find out about at some time in the future, we are not quite sure about how much...
funding and we are not quite sure how it will happen; however, if there is public funding, there will be a process in place to handle that.

I believe that this just continues the confusion. I think it continues the uncertainty in the community about how this will operate, and it does not genuinely reflect the levels of concern that seem to be around people about how this plebiscite will operate. That there would be a plebiscite was hung out as an election promise, but the details around that plebiscite and how it is to be funded are still uncertain.

(Time expired)

Senator DUNIAM (Tasmania) (15:16): I have to start by saying that, in question time, the Attorney could not have been clearer about where things are at the moment in relation to a decision being made about the funding of the yes and no cases for the plebiscite. In relation to that, there will be an answer given once we go through the process we need to go through. It disappoints me that, on such an important issue, those opposite descend into a game of 'he said-she said'. That is the biggest thing—was this person right or was that person right, rather than looking at the substance of the issue. This is what we are taking note of today—whether someone said this or someone said that. I think we need to just focus on the substance of the issue rather than nitpicking about whether this issue is to be disposed of or things like that. I think we are losing sight of the bigger picture here.

I am not sure about those opposite, but I remember pretty clearly—and as Senator Moore pointed out—that the issue of a plebiscite on marriage equality was a feature of the entire election campaign. No-one hid it from the people of Australia; no-one hid it from members in this place or anywhere else. It was debated every day. I received emails from people in the community every day. We knew this issue was coming. It is not like it is a surprise for any of us. And of course this is part of it—the funding, which is to be resolved. The Attorney, in his answer to the question today from Senator Farrell, outlined that we would be going through a process and that a decision would be made and announced. There is not much more to it than that, unless you want to play 'he said-she said' and look for some sort of gotcha moment.

On this side of the chamber, as I say, it was an election promise. We made a commitment to the Australian people before the election that we would give them the opportunity to have their say on this important issue. We are keeping faith with them. We are not going to abandon what we said we would do, because I tell you what: if we broke that promise, the first people who would be jumping all over that would be those opposite. That is what we are doing—we are honouring an election commitment, and there are details to come on that, including the cost and funding arrangements. But that is what we are doing—honouring an election commitment. It is the most democratic way to allow Australians to have their say on this important issue. Everyone can have their say rather than simply restricting it to a few. I understand that as a contrast between the idea of having legislation brought into the parliament and a free vote versus a plebiscite; however, since 2004, I have read that something like 18 pieces of legislation relating to marriage equality have been introduced into the parliament, but nothing has changed. So this opportunity that we have as Australian people for everyone to have a say will be very different and, hopefully, the Australian people's will will be respected.

I think everyone would agree that this is the best way, regardless of where you stand on the issue of marriage equality. Whether you are for it or against it, this is the best way, as everyone can have their say. The most disappointing part for me is the fact that those opposite
do not believe Australians can conduct themselves in a respectful way; that having a public debate means that we will automatically degenerate into a disrespectful and hateful debate. I have higher expectations of the Australian people. That is what we should be encouraging people to have, rather than assuming they will just launch into some tirade of hate speech against one another. We should be encouraging them to engage in this important debate in a respectful way rather than just assuming the worst of the people we represent in this place. That is the most disappointing thing about the questions that were asked today, and I encourage everyone opposite to take that back to their communities. Rather than assuming the worst, expect the best and encourage that. I think it is incumbent upon all of us.

As I said at the beginning of my contribution to this debate, Senator Brandis was incredibly clear on the issue of funding. What the government will do will be announced in due course once we have gone through the process that needs to be gone through and the decision has been made. We will then announce what is going to be the case. We can all drop this 'he said—she said' political game, focus on the important issue at hand and allow the Australian people to get on with considering this important issue. I am sure many of you get thousands of emails and letters from your constituents asking you to vote a certain way. As soon as we know what the details are, we will be able to move on and get on with the debate.

Senator GALLACHER (South Australia) (15:21): I too would like to make a contribution to taking note of the answer by Senator Brandis to Senator Farrell's question. The question was fairly clear: whose recollection was correct, or did the Prime Minister make a commitment to funding the respective sides? Senator Brandis has said, 'Well, it wouldn't be the first time that someone's come away from a meeting with a different recollection'. But, truly, who is correct—the bishop or the Prime Minister of Australia? I do not think a question gets any clearer than that, and it probably deserved a more concise and straightforward answer. My position in this debate is on the public record.

I have listened very carefully to the debate on this plebiscite issue and I am persuaded by the Hon. Michael Kirby, who made a prescient contribution in respect of this debate in a recent interview. He said:

The constitution doesn't provide for interposing this additional step in the law-making process. The last time we tried it was in 1916, 100 years ago, on the question of overseas compulsory military service. And we haven't really attempted a plebiscite as an interposition for 100 years.

He comes to that position as a juror, as a lawyer and as a judge. He said further:

We are not a populist democracy and we don't elect our prime minister or a president. We are a representative democracy who does things through an elected legislature, which meets in public session, whose record is kept by the Hansard, whose speeches are recorded, whose votes are recorded. That's the way we've done it for 110 years—

'And we really should do it this time.' I am persuaded by that argument. There has been an election. There is a government in place, and it should govern. It should take on that decision-making authority that it has and proceed. A plebiscite at a cost of $160 million, with equal funding for either side to add to that, would seem a little excessive to most of the hardworking taxpayers and the electors of this country. The really interesting thing is that the Westminster system provides for this parliament, the executive, to commit troops in times of war without reference to a plebiscite.

Senator Brandis: Parliament doesn't commit troops.
Senator GALLACHER: The Westminster system provides for the executive authority to commit troops. We make agreements and treaties in this place. The Japanese economic partnership agreement, the Korea free trade agreement and the China-Australia free trade agreement are all made at the executive prerogative. The enabling legislation comes through these places.

Why is it that on this one issue, probably the first time in 100 years, we need to spend $160-plus million on a plebiscite? The reason is that in order to get the mantle of prime ministership, the Hon. Malcolm Turnbull had to do a deal, agree with the conservative wing of his party, that he would maintain the promise by the Hon. Tony Abbott of a plebiscite. It is very, very clear. His heart is not in it. He is on the public record in other areas committing to marriage equality and support thereof. But in order to stay Prime Minister, in order to become Prime Minister, he had to pick up this conservative idea, this $160 million expense, plus the funding for either side, in order to stay Prime Minister. That is as clear as day.

Those on the other side can debate the issues to and fro on marriage equality. But in order to get to Prime Minister, he had to honour Mr Abbott's plebiscite arrangement. He is now in conflict with a bishop of the Anglican Church in respect of whether or not he promised funding, and, really, he could just use the executive prerogative. We did not elect him as Prime Minister; his party room did. Therein lies his problem. He could go out and put this to the Australian parliament as early as this week. He cannot because the conservative wing of this parliament would probably roll him. That is the awful truth.

Question agreed to.

Donations to Political Parties

Senator DI NATALE (Victoria—Leader of the Australian Greens) (15:26): I move:

That the Senate take note of the answer given by the Special Minister of State (Senator Ryan) to a question without notice asked by Senator Di Natale today relating to foreign donations.

We recently saw the Manager of Opposition Business stand down as a result of taking a donation from a foreign entity. But let us not kid ourselves for a moment that that action is the end of the matter. The issue has been raised and has been very well ventilated in recent weeks, but the resignation of Senator Dastyari is not an end to this. In fact, his resignation achieves nothing if we do not take on the substantive matter of electoral donation reform.

I know the caravan moves on very quickly in this place and it may seem that this issue has been dealt with, but it has not. Until the influence of large foreign corporate entities—in fact, external influences right across the board—is dealt then people will quite rightly continue to raise questions about the decisions that are being made in this place and whether they are being made in the interests of the community or whether they are being made in the interests of those large cashed-up donors.

The Special Minister of State along with the Attorney-General tried to draw the distinction between donations from foreign entities and the payment of an individual senator's electorate expenses. I think that is tricky.

Senator Brandis: No, personal debts.

Senator DI NATALE: Or personal debts—I take that interjection from the Attorney-General. I think that distinction is very tricky. Most people understand that those two issues are related, that in fact the contributions to both individual senators and political parties raise
questions about how decisions are being made and whether they are being made free from influences in this place.

What an opportunity for the Prime Minister to show a bit of leadership. What a great opportunity for a Prime Minister, who has floundered for the past year, who has been beholden to one part of his own party, to stand up and say the status quo is unacceptable.

In fact, before Malcolm Turnbull became the Prime Minister of this country, he made it very clear that his view was that there should be limitations when it comes to donations and that we should have a capped expenditure simply from individuals on the electoral roll and not moving beyond that. He obviously expressed that view. Clearly, he understands that there are questions being raised within the community about the scale of this problem. And so now is an opportunity for him to seize the initiative and show a bit of leadership.

We know that these entities who make these donations do not do it because they want to see Australian democracy flourish. They do it because they expect a return on their investment. We also know that indeed all political parties in this place have engaged in donations, but let us be again clear on this. The Greens do not receive corporate donations. We ensure that our process for donations goes through a separate entity that decides whether the donation is being made by an entity that is consistent with our own values and policy approach.

But the answer to this is straightforward. We would like to see the system tightened up. We would like to see a ban on foreign donations. We would like to see it go further than just foreign donations—a ban on all corporate donations and a strict cap on donations from not-for-profit organisations and from individual donors. When you impose strict caps, that is effectively an end to all big money politics. It is a very straightforward reform proposal. Alongside that, we need to see donations on election campaign expenditure as well as the activities of third parties. If we can achieve those three things together, then what we have achieved is substantial donations reform that is absolutely in the interests of the Australian community.

But any donation reform needs to also include the establishment of a national anti-corruption watchdog. The notion that the only jurisdiction that should not have an anti-corruption watchdog should be the federal parliament beggars belief. The idea that corruption is limited only to state jurisdictions but there is no potential corruption within the federal parliament again simply beggars belief. So let us use this opportunity now to get wholesale reform, reform around donations being made by corporations, not-for-profits and individuals. Let us ensure that we also get the establishment of a national anti-corruption watchdog and strict caps by third-party campaigners. *(Time expired)*

Question agreed to.

NOTICES

Presentation

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:32): I give notice that on the next day of sitting I shall move:

That the provisions of paragraph (6) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Budget Savings (Omnibus) Bill 2016
Competition and Consumer Amendment (Country of Origin) Bill 2016
Corporations Amendment (Auditor Registration) Bill 2016
Customs Tariff Amendment (Tobacco) Bill 2016
Excise Tariff Amendment (Tobacco) Bill 2016
National Cancer Screening Register Bill 2016
National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016
Statute Law Revision (Spring 2016) Bill 2016
Statute Update Bill 2016
Treasury Laws Amendment (Income Tax Relief) Bill 2016

I also table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have these statements incorporated in *Hansard*.

Leave granted.

The statements read as follows—

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS

BUDGET SAVINGS (OMNIBUS) BILL

Purpose of the Bill

The purpose of the Budget Savings Bill is to take steps towards demonstrating immediate and tangible progress towards fiscal repair.

The bill contains savings measures announced in the 2016-17 Budget and earlier budget updates.

Reasons for Urgency

Urgent consideration of the bill is necessary to demonstrate that the Government is willing to take immediate, necessary and tangible steps towards fiscal repair.

Further, many of the savings measures have start dates that require prompt consideration and passage in order to realise the fiscal savings incorporated into the forward estimates published in the 2016 Pre-Election Economic and Fiscal Outlook.

(Circulated by authority of the Treasurer)

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS

COMPETITION AND CONSUMER AMENDMENT (COUNTRY OF ORIGIN) BILL

Purpose of the Bill

The bill will amend the country of origin safe harbour defences in the Australian Consumer Law (Schedule 2 to the *Competition and Consumer Act 2010*). The amendments form part of a package of country of origin labelling reforms announced by the Government in July 2015, and subsequently agreed by States and Territories earlier this year.

Reasons for Urgency

The bill will amend the country of origin safe harbour defences in the Australian Consumer Law (Schedule 2 to the *Competition and Consumer Act 2010*). The amendments form part of a package of country of origin labelling reforms agreed and announced by the Government on 21 July 2015 and agreed by all jurisdictions through the Legislative and Governance Forum on Consumer Affairs (CAF) on 31 March 2016.
The key element of the package, the Country of Origin Food Labelling Standard 2016, was made and registered in April 2016, and commenced on 1 July 2016. This bill was originally introduced on 4 May 2016 with a view to commencement at the same time as the Information Standard, but lapsed when the Parliament was dissolved prior to the 2016 Federal Election.

Introducing the amendments contained in this bill as soon as possible will ensure that all elements of Australia's new country of origin labelling system are aligned with minimum delay. This will provide consistency, clarity and certainty for businesses and consumers, and deliver the full benefit of the Government's reforms as soon as practicable.

(Circulated by authority of the Minister for Industry, Innovation and Science)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**CORPORATIONS AMENDMENT (AUDITOR REGISTRATION) BILL 2016**

**Purpose of the Bill**

This Bill amends the _Corporations Act 2001_ to address the legal consequences arising from an approval issued by the Australian Securities and Investments Commission in November 2004. The approval was of an auditing competency standard (CPA/ICAA standard) produced by CPA Australia and the Institute of Chartered Accountants in Australia. Certain requirements of the _Legislation Act 2003_ were not met, and as a result the validity of the registration of an auditor on the basis of the CPA/ICAA standard, after 1 December 2005, is uncertain.

**Reasons for Urgency**

Amends the _Corporations Act 2001_ to provide a permanent legislative solution to an issue of legal uncertainty in respect of the registration of certain company auditors. The issue was previously dealt with through a temporary class order, issued by the Australian Securities and Investments Commission.

(Circulated by authority of the Treasurer)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**EXCISE TARIFF AMENDMENT (TOBACCO) BILL**

**CUSTOMS TARIFF AMENDMENT (TOBACCO) BILL**

**Purpose of the Bills**

The purpose of the bills is to improve health outcomes for Australians by reducing their exposure to tobacco products. The bills increase the rates of duty on tobacco so that duty on tobacco is close to the World Health Organisation's recommendation that tax should comprise 70 per cent of the price of a cigarette.

**Reasons for Urgency**

The bills need to be introduced and passed in the 2016 Spring sittings to ensure that this important Government health initiative announced in the 2016-17 Budget is legislated as soon as possible.

(Circulated by authority of the Treasurer)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**NATIONAL CANCER SCREENING BILL**

**NATIONAL CANCER SCREENING REGISTER (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL**

**Purpose of the Bill**

CHAMBER
The bills establish a new single National Cancer Screening Register (NCSR) which will replace the current National Bowel Cancer Screening Register and eight separate state and territory based registers and introduce mandatory reporting to the NCSR for some specialist health care providers.

**Reasons for Urgency**

Passage is required by 15 September 2016 to enable commencement of the NCSR by 20 March 2017 to support the expansion of the National Bowel Cancer Screening Program. Delays in passage will significantly put at risk the ability of the NCSR to support the renewed National Cervical Screening Program commencing 1 May 2017. There are associated implications for pathology workforce, state and territory-based registers (due to be shut down on 1 May 2017) and education programs targeted at consumers and GPs, as well as the introduction of new MBS items.

(Circulated by authority of the Minister for Health and Aged Care)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**STATUTE LAW REVISION (SPRING 2016) BILL 2016**

**Purpose of the Bill**

The Bill corrects technical errors in Acts and makes other minor changes to improve clarity and usability. It does not change the substance of the law.

**Reasons for Urgency**

The Bill will correct technical errors that have occurred in Acts as a result of drafting and clerical mistakes, alter references to specific Ministers and Departments to reduce the need for substituted reference orders, and repeal spent and obsolete provisions and Acts. It will reduce regulatory burden by improving the quality of the Commonwealth statute book and will contribute to the necessary ongoing maintenance of legislation to ensure its accuracy, usability and currency.

(Circulated by authority of the Attorney-General)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**STATUTE UPDATE BILL 2016**

**Purpose of the Bill**

The Bill updates provisions in Acts to take account of changes to drafting precedents and practice. The amendments either make no change or only minor changes to the substance of the law.

**Reasons for Urgency**

The Bill will make minor and technical changes that are necessary as a result of changes to drafting precedents and practice. It will reduce regulatory burden by improving the quality of the Commonwealth statute book and will contribute to the necessary ongoing maintenance of legislation to ensure its accuracy, usability and currency.

(Circulated by authority of the Attorney-General)

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**TREASURY LAWS AMENDMENT (INCOME TAX RELIEF) BILL**

**Purpose of the Bill**

The purpose of the Treasury Laws Amendment (Income Tax Relief) Bill 2016 is to increase the 32.5 per cent personal income tax threshold from $80,000 to $87,000 from 1 July 2016.

**Reasons for Urgency**
Introduction and passage of the bill during the 2016 Spring sittings is required to provide certainty for taxpayers and the Australian Taxation Office (ATO) and provide sufficient time to put in place systems and processes to allow for the efficient administration of the tax system and a smooth roll out of Tax Time 2017. Tax cuts provided in the bill are to apply from 1 July 2016.

(Circulated by authority of the Treasurer)

Presentation

Senator Leyonhjelm to move:

That the following interim reports of the Economics References Committee, tabled in the last Parliament, be listed on the Notice Paper for consideration during the item of business relating to the consideration of committee reports and government responses under standing order 62(1) on Thursday:

(a) Personal choice and community impacts;
(b) Personal choice and community impacts—Bicycle helmet laws (term of reference d);
(c) Personal choice and community impacts—Sale and use of marijuana and associated products (term of reference c); and
(d) Personal choice and community impacts—Western Sydney Wanderers supporters (term of reference f).

Senator McKenzie to move:

(1) That so much of standing orders be suspended as would prevent this resolution having effect.
(2) That the Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015 be restored to the Notice Paper and that consideration of the bill resume at the stage reached in the 44th Parliament.

Senator Hinch to move:

That the order of the Senate of 21 March 2002 restricting photography in the Senate chamber ceases to have effect on and from 10 October 2016.

Senator Leyonhjelm to move:

That the following bill be introduced: A Bill for an Act to amend the Marriage Act 1961 to reduce government intervention in marriage, and for related purposes. Freedom to Marry Bill 2016.

Senator Whish-Wilson to move:

That the Senate notes:

(a) that the United States Department of State is hosting the Our Ocean 2016 conference in Washington DC on 15 and 16 September 2016;
(b) that the Minister for Foreign Affairs (Ms Bishop) and the Ambassador for the Environment (Mr Suckling) will be representing Australia;
(c) that Australian marine pollution advocate, Mr Tim Silverwood, has been asked to lead a panel on marine pollution at this prestigious gathering of world leaders and influencers;
(d) that a recent World Economic Forum report warned that on current projections there will be more plastic than fish in the oceans by 2050; and
(e) the unanimous recommendations of the Senate Environment and Communications References Committee outlining a plan of action for the Federal Government.

Senators Griff, Xenophon and Kakoschke-Moore to move:

That the following matter be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 14 March 2017:
(1) The funding of, and donations to, political parties and candidates with particular reference to:
   (a) foreign political donations;
   (b) sources of private (including corporate and union donations) and public funding and contribution
       limits and caps;
   (c) alternative funding practices, including consideration of comparative overseas models operating
       in Canada and the United Kingdom;
   (d) transparency, accountability and reporting measures;
   (e) limiting election expenses; and
   (f) any related matter.
(2) For the purposes of this inquiry only, participating members may be appointed to the committee on
    the nomination in the House of Representatives, of the Government or Opposition Whips or any
    minority group or independent member, and, in the Senate, of the Leader of the Government or
    Opposition, or any minority group or independent senator, and such participating member:
    (a) shall be taken to be a member of the committee for the purposes of forming a quorum if a
        majority of members of the committee is not present; and
    (b) may participate in hearings of evidence and deliberations of the committee and have all rights of
        a committee member except that a participating member may not vote on any question before the
        committee.
(3) This resolution be communicated to the House of Representatives for concurrence.

Senator Gallagher to move:

That the resolution of the Senate of 2 November 2011, relating to the
chair of the Legal and Constitutional Affairs References Committee, be amended by omitting "Legal and Constitutional Affairs" and substituting "Environment and Communications".

Senator Rice to move:

That there be laid on the table no later than 4 pm on 10 October 2016 by the Minister representing
the Minister for Agriculture and Water Resources, the following documents held or prepared by the
Department of Agriculture and Water Resources:
   (a) any cost benefit analysis of relocating the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale;
   (b) any other documents in relation to the relocation of the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale; and
   (c) any correspondence or information, including briefings and meeting notes, relating to the
       relocation of the Australian Pesticides and Veterinary Medicines Authority, including correspondence
       between any Australian Government Minister, department or agency on the matter.

Senator Xenophon to move:

That—
   (a) the Senate notes that:
   (i) the President's report to the Senate on government responses outstanding to parliamentary
       committee reports as at 30 June 2016, listed the report of the Environment and Communications
       References Committee on stormwater management in Australia as amongst the reports the Government
       had failed to respond to within the 3 month timeframe, and
   (ii) the Government still has not provided a formal response to the committee's report, although it
       has been 10 months since the report was tabled; and
(b) there be laid on the table by the Minister representing the Minister for Environment and Energy, by no later than 3.30 pm on 10 October 2016, the Government's response to the report of the Environment and Communications References Committee on stormwater management in Australia, dated 2 December 2015.

Senator Xenophon to move:

That—

(a) the Senate notes that:

(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 30 June 2016, listed the report of the Community Affairs References Committee on the availability of new, innovative and specialist cancer drugs in Australia as amongst the reports the Government had failed to respond to within the 3 month timeframe, and

(ii) the Government still has not provided a formal response to the committee's report, although it has been almost 12 months since the report was tabled; and

(b) there be laid on the table, by the Minister representing the Minister for Health and Aged Care, by no later than 3.30 pm on 10 October 2016, the Government's response to the report of the Community Affairs References Committee on the availability of new, innovative and specialist cancer drugs in Australia, dated 17 September 2015.

BUSINESS

Consideration of Legislation

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:33): I move:

That general business order of the day no. 14 (Marriage Equality Amendment Bill 2013) be considered on Thursday, 15 September 2016 under the order relating to consideration of private senators' bills.

Question agreed to.

NOTICES

Postponement

The Clerk: Postponement notifications have been lodged in respect of the following:

Business of the Senate notice of motion no. 1 standing in the name of Senator Siewert for today, proposing a reference to the Community Affairs References Committee, postponed till 13 September 2016.

General business notice of motion no. 13 standing in the name of the Leader of the Opposition in the Senate (Senator Wong) for today, relating to racial and cultural diversity, postponed till 13 September 2016.

BUSINESS

Leave of Absence

Senator Urquhart (Tasmania—Deputy Opposition Whip in the Senate) (15:34): by leave—I move:

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

Question agreed to.
Rearrangement

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:35): At the request of Senator Fifield, I move:

That consideration of the business before the Senate on the following days be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable senators to make their first speeches without any question before the chair, as follows:

(a) Tuesday, 13 September 2016—Senator Watt; and
(b) Wednesday, 14 September 2016—Senator McCarthy.

Question agreed to.

DOCUMENTS

Perth Freight Link

Order for the Production of Documents

Senator Ludlam (Western Australia—Co-Deputy Leader of the Australian Greens) (15:35): I move:

That there be laid on the table no later than 10 am on Monday, 12 September 2016 by the Minister for Finance, the following documents:

(a) any correspondence including appointments between successful tenderer and major donor Leighton Holdings (CIMIC Group Ltd) with any federal minister relating to the Perth Freight Link;

(b) the traffic modelling for the Perth Freight Link with specific regard to Government claims that it will reduce congestion, improve safety, reduce traffic accidents on Leach Highway, and improve access to Fiona Stanley Hospital;

(c) a summary of all requests made to the Government for traffic modelling or the business case that have been refused on commercial-in-confidence or public interest grounds;

(d) any environmental surveying or assessment of the construction envelope in Stage 2 or 3 including Stygofauna or Trogofauna given the new decision to complete much of the Freight Link by tunnel; and

(e) a list of every National Partnership project that has received federal funding from the Abbott-Turnbull terms of Government of more than $100 million without a published business case.

Question agreed to.

MOTIONS

Mental Health

Senator Siewert (Western Australia—Australian Greens Whip) (15:36): I move:

That the Senate—

(a) recognises that:

(i) 8 September was ‘R U OK Day’, dedicated to reminding people to ask family, friends and colleagues in a meaningful way R U OK?, and

(ii) 10 September was World Suicide Prevention Day, a day to draw public attention to suicide prevention;

(b) acknowledges that:

(i) suicide statistics show that it is at the highest level in 10 years, and there were more than 2,000 deaths from intentional self-harm in 2014,
Mental Health Australia has called for a commitment to long term targets on mental health, and
Suicide Prevention Australia has called for a shared goal of a 50 per cent reduction in suicides
in 10 years; and
calls on the Government to adopt a national suicide prevention target.

Question agreed to.

DOCUMENTS

Australian Statistician

Order for the Production of Documents

Senator XENOPHON (South Australia) (15:36): I seek leave to amend general business
notice of motion No. 24 standing in my name for today concerning an order for the
production of documents by the Australian Statistician, before asking that it be taken as
formal.

Leave granted.

Senator XENOPHON: I move the motion as amended:

That—
(a) the Senate notes that:
(i) on 3 August 2016, the Australian Statistician was interviewed on the ABC television program
7.30 in relation to the 2016 Census, and
(ii) during the interview the Australian Statistician referred to legal advice received from the
Australian Government Solicitor; and
(b) there be laid on the table no later than 3 pm on Wednesday, 14 September 2016 by the Minister
representing the Minister for Small Business, the legal advice referred to by the Australian Statistician
during his appearance on 7.30 on 3 August 2016.

Senator McGRATH (Queensland—Assistant Minister to the Prime Minister) (15:37): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McGRATH: The longstanding practice of successive governments has been not
to disclose privileged legal advice.

The PRESIDENT: The question is that the motion, as amended, moved by Senator
Xenophon be agreed to.

The Senate divided. [15:42]

AYES

Bilyk, CL
Brown, CL
Burston, B
Cameron, DN
Carr, KJ
Chisholm, A
Collins, JMA
Culleton, RN
Dastyari, S
Day, RJ
Di Natale, R
Dodson, P
Question agreed to.

COMMITTEES

Legal and Constitutional Affairs References Committee

Reference

Senator WATT (Queensland) (15:45): I inform the chamber that Senator McKim will also sponsor the motion. I seek leave to amend business of the Senate notice of motion No. 2 standing in my name and in the name of Senator McKim for today.

Leave granted.

Senator WATT: I, and also on behalf of Senator McKim, move the motion as amended.
(1) That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by the last sitting day in March 2017:

The serious allegations of abuse, self-harm and neglect of asylum seekers in relation to the Nauru Regional Processing Centre, and any like allegations in relation to the Manus Regional Processing Centre, with particular reference to:

(a) the factors that have contributed to the abuse and self-harm alleged to have occurred;

(b) how notifications of abuse and self-harm are investigated;

(c) the obligations of the Commonwealth Government and contractors relating to the treatment of asylum seekers, including the provision of support, capability and capacity building to local authorities;

(d) the provision of support services for asylum seekers who have been alleged or been found to have been subject to abuse, neglect or self-harm in the centres or within the community;

(e) the role an independent children’s advocate could play in ensuring the rights and interests of unaccompanied minors are protected,

(f) the effect of Part 6 of the *Australian Border Force Act 2015*;

(g) attempts by the Commonwealth Government to negotiate third country resettlement of asylum seekers and refugees;

(h) additional measures that could be implemented to expedite third country resettlement of asylum seekers and refugees within the centres; and

(i) any other related matters.

(2) That the committee be granted access to all inquiry submissions and documents of the preceding committee relating to its inquiry into the conditions and treatment of asylum seekers and refugees at the regional processing centres in the Republic of Nauru and Papua New Guinea.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:46): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator McGrath: The government will not waver in our commitment to the strong and consistent border protection policies that have stopped the boats and prevented deaths at sea. Regional processing is vital to ensuring our borders remain secure. We have seen the disastrous consequences of weak border protection policies. The naive mistakes of Labor and the Greens saw 50,000 people arrive on more than 800 boats. The human impact was tragic with at least 1200 men, women and children losing their lives at sea. We continue to deal with the legacy of these mistakes to this day. Our border protection policies will not change. No-one in regional processing centres will be resettled in Australia.

The President: The question is that the motion as amended by Senator Watt be agreed to.

The Senate divided. [15:48]

(The President—Senator Parry)

Ayes ..................35
Noes ..................27
Majority ..............8

AYES

Brown, CL
Carr, KJ

Cameron, DN
Chisholm, A

CHAMBER
### AYES
- Collins, JMA
- Di Natale, R
- Farrell, D
- Gallagher, KR
- Hanson-Young, SC
- Kakoschke-Moore, S
- Lambie, J
- Ludlam, S
- McAllister, J
- McKim, NJ
- O’Neill, DM
- Rhiannon, L
- Siewert, R
- Waters, LJ
- Whish-Wilson, PS
- Xenophon, N

### NOES
- Abetz, E
- Birmingham, SJ
- Bushby, DC (teller)
- Cash, MC
- Duniam, J
- Fierravanti-Wells, C
- Hume, J
- McGrath, J
- Nash, F
- Parry, S
- Reynolds, L
- Ryan, SM
- Seselja, Z
- Williams, JR

### PAIRS
- Bilyk, CL
- Conroy, SM
- Polley, H
- Singh, LM
- Sterle, G
- Paterson, J
- Cormann, M
- Brandis, GH
- Bernardi, C
- Sinodinos, A

Question agreed to.

### NOTICES

**Withdrawal**

**Senator McKIM** (Tasmania) (15:50): I withdraw business of the Senate motion No. 3 standing in my name for today.
MOTIONS

Roads

Senator RICE (Victoria) (15:51): I move:

That the Senate—

(a) notes:

(i) Transurban now either fully or partially operates 13 of the 15 toll roads in Sydney, Melbourne and Brisbane,

(ii) Transurban's role in the construction and future operation of Melbourne's Western Distributor, a 'market-led' proposal,

(iii) Transurban's stated intention to become the 'natural custodian' of Australia's motorways as policy shifts towards greater road pricing,

(iv) the New South Wales Government's stated intention to sell down its stake in the WestConnex project,

(v) the extension of Transurban's Citylink monopoly as part of the Western Distributor contract, and

(vi) the Productivity Commission's assessment of the dangers of public private partnerships unless the 'risks are transferred efficiently, transparently and credibly, with incentives that align the interests of the private sector with that of the public'; and

(b) supports the approach that all contracts, business cases, transport and economic modelling and other associated documents of governments and between governments and private contractors in the planning, construction and operation of toll roads should be made fully available to the public, unredacted, in a timely manner.

Senator McGRATH (Queensland—Assistant Minister to the Prime Minister) (15:51): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McGRATH: The Western Distributor Project in Melbourne is being funded and delivered by the Victorian government through an unsolicited bid process with no involvement from the Commonwealth. Toll roads are operated on behalf of state governments and are a matter for those jurisdictions. All projects which receive more than $100 million in Commonwealth funding are assessed by Infrastructure Australia, and assessments are released publicly. Information related to project details is commercial-in-confidence in nature, and its release may prejudice Commonwealth-state relations.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: We will oppose this motion. Labor was not consulted on the words of this motion. While the motion supports transparency, which Labor does support, the wording would require disclosure of tender documents, potentially costing taxpayers the benefit of competition and innovation in tenders. Further, Labor supports proper transparency in all transport projects, not just toll road projects. Labor believes transport modelling and business cases should be able to be made public early, as part of project justification. The community has a right to know the reasons for chosen solutions to identified transport problems, but it should also be able to benefit from competition, to achieve value for money.
The **PRESIDENT**: The question is that the motion moved by Senator Rice be agreed to.

The Senate divided. [15:54]

(The President—Senator Parry)

Ayes ...............14  
Noes ...............45  
Majority.............31

**AYES**

- Di Natale, R  
- Hanson-Young, SC  
- Kakoschke-Moore, S  
- Ludlam, S  
- Rhiannon, L  
- Siewert, R (teller)  
- Whish-Wilson, PS  
- Griff, S  
- Hinch, D  
- Lambie, J  
- McKim, NJ  
- Rice, J  
- Waters, LJ  
- Xenophon, N

**NOES**

- Abetz, E  
- Brown, CL  
- Cameron, DN  
- Carr, KJ  
- Chisholm, A  
- Dastyari, S  
- Dodson, P  
- Farrell, D  
- Fierravanti-Wells, C  
- Gallagher, KR  
- Ketter, CR  
- Macdonald, ID  
- McAllister, J  
- McGrath, J  
- Moore, CM  
- O’Neill, DM  
- Parry, S  
- Polley, H  
- Reynolds, L  
- Ryan, SM  
- Seselja, Z  
- Urquhart, AE (teller)  
- Williams, JR  
- Back, CJ  
- Bushby, DC  
- Canavan, MJ  
- Cash, MC  
- Collins, JMA  
- Day, RJ  
- Duniam, J  
- Fawcett, DJ  
- Fifield, MP  
- Hume, J  
- Lines, S  
- Marshall, GM  
- McCarthy, M  
- McKenzie, B  
- Nash, F  
- O’Sullivan, B  
- Payne, MA  
- Pratt, LC  
- Ruston, A  
- Scullion, NG  
- Smith, D  
- Watt, M

Question negatived.

**Gambling**

**Senator Griff** (South Australia) (15:57): I, and also on behalf of Senators Kakoschke-Moore and Xenophon, move:

That the Senate—

(a) notes that:
(i) more than $800 million was lost by Australians on legal sports betting in the 2014-15 financial year, an increase of more than 30 per cent from 2013-14,

(ii) while some restrictions on gambling advertising exist, there is an exemption that allows gambling advertising during televised sporting events at children's viewing times,

(iii) research shows that children are especially susceptible to such advertising, and

(iv) there is a pressing need to ban gambling advertising particularly during children's viewing times;

(b) calls on the Government to amend the Broadcasting Services Act 1992 to ban gambling advertising during sporting broadcasts during children's viewing times; and

(c) further notes community concern about the recent increased level of gambling advertising on the Special Broadcasting Service, and calls on the Minister for Communications to issue a directive under section 11 of the Special Broadcasting Service Act 1991 to limit the amount of such advertising.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:57): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator McGrath: The government does not support this motion. We are taking strong action to implement a stronger national consumer protection framework for online gambling. We are working with the states and territories, and will shortly introduce legislation to implement the government's response to the review of illegal offshore wagering conducted by the Hon. Barry O'Farrell. Gambling advertising is regulated under a co-regulatory framework through codes of practice enforced by the Australian Communications and Media Authority. The government supports this co-regulatory framework as the best of way of ensuring that advertising is in keeping with community standards. Finally, the government does not agree that the Minister for Communications can issue a direction in the terms described by part (c) of this motion.

The President: The question is that the motion moved by Senator Griff be agreed to.

The Senate divided. [15:59]

(The President—Senator Parry)

Ayes ...................... 15
Noes ...................... 42
Majority ............... 27

AYES

Burston, B
Di Natale, R
Hanson-Young, SC
Lambie, J
McKim, NJ
Rice, J
Waters, LJ
Xenophon, N

Day, RJ
Griff, S
Kakoschke-Moore, S (teller)
Ludlam, S
Rhiannon, L
Siewert, R
Whish-Wilson, PS

NOES

Abetz, E
Back, CJ
Brown, CL
Bushby, DC (teller)
I, and also on behalf of Senators Lambie and Xenophon, move:

That the Senate—

(a) notes:

(i) the technical failures of the Australian Bureau of Statistics (ABS) website on Census night, 9 August 2016, prevented thousands of people completing the Census,

(ii) subsequent attempts to address the technical failures further added to confusion and impacted public confidence in the Census process,

(iii) the Census website was offline for several days after census night, and sporadically offline in the following weeks, and

(iv) thousands of Australians were unable to complete the Census, and thousands of Australians were reluctant to do so due to privacy concerns; and

(b) calls on the Government to direct the ABS to issue a statement declaring that no Australians will be fined for failing to complete the Census.

I look forward to the unanimous support of the chamber.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (16:02): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator McGrath: The Australian Bureau of Statistics is a respected independent Commonwealth agency as defined by the Australian Bureau of Statistics Act 1975. The Australian Statistician is responsible for the conduct of the census under the Census and Statistics Act 1905, including issuing fines. The statistician and other ABS employees have
repeatedly stated that no Australians will be fined if they are willing to participate in the census, which the government encourages all Australians to do.

The PRESIDENT: The question is that the motion moved by Senator Ludlam be agreed to.

The Senate divided. [16:04]

(The President—Senator Parry)

Ayes ..................... 16
Noes ..................... 40
Majority ................. 24

AYES

Burston, B
Di Natale, R
Hanson-Young, SC
Kakoschke-Moore, S
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS

Day, RJ
Griff, S
Hinch, D
Lambie, J
McKim, NJ
Rice, J
Waters, LJ
Xenophon, N

NOES

Abetz, E
Bushby, DC
Canavan, MJ
Cash, MC
Dodson, P
Farrell, D
Fierravanti-Wells, C
Gallacher, AM
Hume, J
Lines, S
Marshall, GM
McCarthy, M
Moore, CM
O’Neill, DM
Parry, S
Polley, H
Reynolds, L
Scullion, NG
Smith, D
Watt, M

Back, CJ
Cameron, DN
Carr, KJ
Chisholm, A
Duniam, J
Fawcett, DJ
Fifield, MP
Gallagher, KR
Ketter, CR
Macdonald, ID
McAllister, J
McGrath, J
Nash, F
O’Sullivan, B
Payne, MA
Pratt, LC
Ruston, A
Seselja, Z
Urquhart, AE (teller)
Williams, JR

Question negatived.
COMMITTEES
Economics Legislation Committee

Reporting Date

The Clerk: A notification of extension of time for a committee to report has been lodged in respect of the Economics Legislation Committee's inquiry into the Budget Savings (Omnibus) Bill 2016, until 14 September 2016.

The PRESIDENT (16:07): Does any senator wish to have the motion put? There being none, we will proceed.

MATTERS OF PUBLIC IMPORTANCE

Marriage

The PRESIDENT (16:07): A letter has been received from Senator Wong:

Pursuant to standing order 75, I propose that the following matter of public importance be submitted to the Senate for discussion:

The failure of the Turnbull Government to clearly outline its position on public funding of campaigns in the proposed plebiscite in marriage equality.

Is the proposal supported?

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

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

Senator PRATT (Western Australia) (16:08): I rise to debate the MPI put forward to the chamber today by Senator Wong and object to what I feel is the abhorrent way in which those opposite are dealing with the question of marriage equality in this place, in their party room and in the community. The very idea that the civil rights of Australians should be subject to a plebiscite at all is abhorrent. What those on the other side are setting out is not a path to marriage equality. It is simply an attempt to paper over the divisions in the coalition on this critical issue—and divided you are, a mess you are. As a result of that division, Labor and LGBTI Australians can have no confidence that what you are putting forward is any kind of path towards marriage equality. Indeed, you have pretty much said as much.

In the last couple of days we have learned that one of Australia's most senior Anglican leaders has said that the Prime Minister, Malcolm Turnbull, made an 'unambiguous' offer to provide public funding for opposing sides in the same-sex marriage plebiscite. As we have seen reported:

A spokesman for the Archbishop of Sydney Glenn Davies said Mr Turnbull made the remarks at a meeting of church leaders earlier this year.

"It is the Archbishop's clear recollection that the Prime Minister, in words that were unambiguous, stated that funding would be available to both sides on a similar basis to the republic referendum, thought the exact amount was not discussed," the spokesman said in a statement.

"The promise was later raised at a smaller meeting with [Attorney-General George] Brandis in March, who then asked what funding was appropriate, to which the Archbishop replied: the same amount as in 1999, CPI adjusted."

CHAMBER
We know that the 'no' camp is pushing for about $10 million to be provided to both sides of the plebiscite campaign. We have been told that the government has made those commitments, even though we have also been told that the position Senator Brandis wants to take forward is for no public funding.

On this side, we have been listening to the LGBTI community, and we are not in favour of a plebiscite at all, and we are certainly not in favour of public funding for a plebiscite, in what would amount to public funding for hate speech, public funding for a divisive and costly referendum. Those preparing for a plebiscite in favour of marriage equality have pretty much said, 'If a plebiscite is forced upon us by the government, then it should have no public funding.' Let us be clear: this is not a condition of support for a plebiscite, as there is no such support. Those in favour of marriage equality are getting ready for a plebiscite but have said there are good reasons not to support one. I certainly do not support one.

What we have before us is a Prime Minister and indeed an Attorney-General who say they support marriage equality. We have on one side an anti-marriage-equality camp, who represent a minority of the Australian community, who want a plebiscite and public funding for such a plebiscite in a last-ditch attempt to stop marriage equality, and a pro-marriage-equality camp, who support a parliamentary vote, who do not support a plebiscite and who certainly do not support public funding for a plebiscite. As many opinion polls show, this is the majority of the Australian community.

The simple fact is: the very idea of a plebiscite is one that has been put forward by those opposed to marriage equality. What is especially galling to me and those opposed to public funding for a plebiscite is the fact that church groups opposed to marriage equality already have access to tax deductible donations through which they can channel funds for such a campaign. However, those in favour of marriage equality, LGBTI groups and rights groups, do not. We have no such access to tax deductible donations.

What do we know about the history of this issue? We know that the Prime Minister has been forced to adopt a position in support of a plebiscite as a condition on his leadership. How then, even though he purports to support marriage equality, are we supposed to have any confidence that such a plebiscite is a meaningful path to equality, especially when there is no detail? Right on the cusp of this question being put to cabinet, there has been no plan championed by our Prime Minister to make marriage equality real. That is because there are too many on the other side who simply do not want it to be. Even Warren Entsch MP has said as much. We have heard reports that when Mr Entsch was asked if Senator Brandis was doing a good job on the plebiscite, he said:

I want him to be more transparent, more open, more inclusive. I have no doubt the Attorney-General is committed to making it happen but I want to see him work with everyone. I want to see him talking to the other side about their views.

How are those of us in favour of marriage equality supposed to have any confidence that what you are setting out is any kind of path to marriage equality when even those on your own side do not see it that way? I am extremely concerned that a plebiscite, and public funding for it, will turn into a platform for people to attack, abuse and demean Australians on the basis of who they love and who they are—their gender identity and their love for their partner. The fact is that casual, unthinking discrimination and deliberate, malicious homophobia are still too common in Australian society.
I am not concerned here about Australians who have traditional notions of marriage. I am concerned here about people on the fringes who will use this plebiscite to say hurtful and extreme things about the LGBTI community. This is certainly what happened in Ireland, to the great detriment of the community there. Sadly, today, we know that two out of five Australians who are gay have thought about self-harm or suicide. A young Australian who identifies as gay is six times more likely to consider taking their own life compared to a sibling, a classmate, a teammate or a colleague. I find it deeply disturbing that we should have a plebiscite that will give a taxpayer-funded platform and a megaphone to the very worst forms of hateful abuse. It will add too greatly to the burden of what too many Australians already have to bear.

In my view, it is fine for me as a senator to make a plea to the parliament about equality. It is my job. I have heard a minority of extremists in the parliament—in this place—make just about every homophobic spray possible. It is horrible and it hurts. Frankly, this is not something I want young, same-sex attracted people to be exposed to—the need to go door to door to plead for their civil rights. This negative campaigning is not likely to defeat a plebiscite, in my view, because people will be repelled rather than persuaded. However, its impact will be lasting and damaging to some of the most vulnerable people in our community.

Senator BACK (Western Australia) (16:18): In 2012, I had the privilege of hosting the Hon. John Howard at a wide-ranging seminar in Perth. One of the questions he was asked was why, when Paul Keating won government in 1991, did the then opposition, led by Mr Howard, not object to legislation that the Keating government introduced in the House and in the Senate. His response was relevant to this debate, because he said this: ‘The people of Australia decided that the Keating government should be allowed to govern. They won the majority.’ Howard then said: ‘It was not incumbent on us in our opposition to oppose the will of the Australian people.’

Why is that relevant to this discussion? Because, on 2 July this year, the Australian people decided that the Turnbull-led coalition would continue to govern for the next three years, at least, in this country. Nobody can argue that the coalition took to the 2016 election a commitment that there would be a plebiscite on same-sex marriage if the coalition win government. We did win, and it is a commitment that, unlike our political opponents, we will hold true to. That is the critically important point.

When that plebiscite will be held is to be determined by others. We have had advice from the Australian Electoral Commission that it would not be practical to have such a plebiscite this year, it now being mid-September. As you and I well know, Madam Acting Deputy President, there is a state government election in early March in Western Australia, and I for one would not want the distraction of a plebiscite prior to then. If I had my say, I would be urging that the plebiscite be held after that date, but that is my own personal opinion.

I want to make this point to everybody in this place: we went to an election giving an undertaking that there would be a plebiscite on same-sex marriage so that the people of Australia could make their decision on how this issue should go. There are not many plebiscites. They say that during the First World War there was a referendum on whether or not we should have conscription. There was no referendum; there were two plebiscites. The difference—the young people in the gallery should take notes on this—is that a referendum is held if there is a potential change to the Constitution, but a plebiscite is held to ascertain the
will of the Australian people. That is what the Australian people knew when they went to the polls prior to and on 2 July.

If people want to get this matter resolved, the quickest way would be to get Mr Bill Shorten, the Leader of the Opposition, to go along with the Prime Minister's mood and support a plebiscite. Unfortunately Mr Shorten is not going down that path, but I can say that the Labor Party has no high moral ground in this space. It is the case that the Labor Party is actually bound to a certain position, and that position is to oppose the situation we now have in this country—that marriage is between a man and a woman.

You will hear people say, 'No, that's not the case; Labor isn't bound until about 2019.' But I would simply ask you to put that point to now Mr Joe Bullock, then Senator Joe Bullock, the then Labor Party senator representing Western Australia. Senator Pratt is now here, because she replaced him. As you and I both know, Madam Acting Deputy President Reynolds, then Senator Bullock said he could not accept the position of the Labor Party on this issue and so he did the honourable thing and he resigned as a senator for Western Australia. So the Labor Party has a fixed position on this. We cannot have a debate and a vote in this parliament, because one of the two major parties has already told us how they are going to vote. The Greens party, and perhaps others, might also say whether they are bound to their position. We in the coalition are not bound. We had this discussion in our joint party room and we took a decision that the best thing to do would be to seek the confidence of the Australian people on a matter as important as this and go to a plebiscite.

People change their opinions and they are entitled to change their opinions, but I just want to make a point, if I may. In 2010, in the time since I have been in this parliament, the now Leader of the Opposition in the Senate, Senator Wong, whose motion it is we are discussing here today, made this statement on 26 June 2010:

On the issue of marriage I think the reality is there is a cultural, religious, historical view around that which we have to respect. The party's position is very clear that this is an institution that is between a man and a woman.

Current frontbench members of the Labor opposition in the other place, Mr Bowen, Mr Husic, Mr Burke, Ms Rowland and Mr Fitzgibbon, all voted against same-sex marriage in 2012, as was their entitlement and as is their entitlement now because, as Australian citizens, they will be entitled to a vote in the plebiscite.

I have been asked what my position would be if, in a plebiscite, the result of the plebiscite is a favouring of same-sex marriage—changing what is now the law of the land in which marriage is between a man and a woman. I have said publicly and I will state it again in this place that, if the majority of the people of Western Australia, voting in a plebiscite, say that they want same-sex marriage, I will change my position and I will support same-sex marriage, because it is the democratic position of the people in my state. And I challenge the other 225 people in the other place and this one to agree to do the same—that, if the majority vote in a plebiscite in their state, in the case of senators, or in their electorate, in the case of members is one way or the other, they will commit in the coming days to do as I am committing to do and that is to change, if necessary, my situation.

A plebiscite, unlike a referendum, will not require the majority of people in the majority of states and territories; it will simply be a straight majority of the population of Australia. So I know very well that the population-dominant cities of Melbourne and Sydney will have a
skewed opportunity and weighting in this debate. But I object vehemently to statements that have been made by leaders of parties that, for some reason or other, the people of Australia cannot be allowed to have their say on what is such an important issue. I also think it is disgraceful to speculate, postulate or hypothesise on how different people in the Australian community might react to the views of others. That is not the Australia I know. I object vehemently to party political leaders giving some sort of prediction as to what the mood, the behaviour and the performance of people might be. We have laws in this country—very, very strong laws—that protect people against discrimination or any other form that might be offensive to them. Those laws exist in this place.

I say very strongly that I have very little faith in those who are not prepared to allow the Australian people to have their say in a plebiscite. I hear all these predictions: 'The vote is so overwhelmingly in favour of same-sex marriage, that we needn't even bother having the vote.' Well, is that case? I do not know, Madam Acting Deputy President Reynolds, and, with deep respect, neither do you. But what I can say is that this is an issue upon which the people of Australia should have their right to have a say.

It has been put to me that the cost of something like $150 million is a lot of money. Yes, it is, but let me put that into perspective. At the moment, this country is borrowing $1.2 billion a month overseas, not to repay any Labor debt built up between 2007 and 2013 but just to pay the interest. We are borrowing $40 million a day, when we were debt free in this country in 2007. So, yes, $150 million is a lot of money—it is 3½ days interest on the debt that we are paying now—to give the people of Australia their opportunity to make their decision on whether or not they want to see a change to the Marriage Act.

I do have to say that I have little confidence in the integrity of people on the other side who are likely to put the cases for which they so eloquently speak. Why do I have little confidence? It is because I have long believed that the best predictor of future behaviour is past behaviour. The recent past behaviour of those opposite is that of the scandalous Mediscare campaign leading up to the 2 July election, when it took an ABC journalist to call out the Leader of the Opposition and the national president of the Australian Medical Association to call them out. But did they stop? No. On the evening of 29 June an elderly lady in a nursing home in Perth received a phone call—not a robocall; a phone call—asking her what she was going to do beyond 30 June when the coalition government, if they won the election, would remove all funding for aged care and health care. That is the level of integrity we see and, if it flowed through to this other exercise, I have no faith in Mr Shorten's position.

(Time expired)

Senator RICE (Victoria) (16:30): I rise to speak today on the MPI and the latest example of the extreme right dictating the agenda of the Turnbull government. Not only is the government trying to impose its harebrained plebiscite on the lesbian, gay, bisexual, transgender, intersex and queer community but now we have to put up with the 'he said, she said' game about whether the government is going to spend millions of taxpayers' dollars to advertise these well-worn arguments.

Senator Back, in his contribution, made no mention of not only the harm of the plebiscite but adding to the harm of spending millions of dollars to amplify the hatred and the homophobic hate speech that will come from this plebiscite. Many in favour of the plebiscite tell us: 'No, this won't be the case. The plebiscite will be okay. Don't automatically assume the
"worst.' Let me tell you: we do not automatically assume the worst; we have seen the worst. Sadly, the strong anti-discrimination laws that Senator Back talked of will not protect us and will not protect, particularly, young LGBTIQ people struggling with their sexuality and their gender identity. It will not protect us from the worst of that hate speech and homophobia.

Politicians are often the target of social media trolls, and, late last week, I was. I want to share this experience with you to give you an example of what we can expect—what will be amplified and what will be broadcast through the megaphone—if this plebiscite goes ahead. Late last week, a person called Jeff contacted me. Jeff is a troll. I ask you all to not be like Jeff. Jeff said to me, 'How dare you stupid, ugly, ultra-corrupt scum', and accused marriage equality advocates of advocating the creation of a whole new stolen generation. He prefaced a sentence with, 'As much as I hate being rude to a woman', and then launched into some of the most appalling misogynist language imaginable. He finished up, threateningly, by saying:

You and your kind will not be allowed, nor tolerated to brainwash our kids and sexually groom them. We will never forget. Be sure about it.

Jeff, who is friends on Facebook with the Australian Christian Lobby's Lyle Shelton, is not representative of all who oppose marriage equality, but his contribution to social discourse is not isolated either. I have a growing collection of hateful correspondence to my office. On this occasion, Jeff needed to be called out. It would have been very easy to just delete his comments, but he needed to be called out because not only what he was saying was wrong but the community needs to know the sorts of comments that will be given a megaphone in a plebiscite.

So I told Jeff about the many same-sex couples and their children; they are wonderful parents with loved, loving and well-adjusted kids. And the response was overwhelming. Today, I want to share just a few of their comments with you. Liz said: 'So many same-sex couples have children. And while these attitudes make me angry, I worry about the hurt they will cause any of my future kids.' Another person, Real, said:

Gay couples are not asking anything but equal rights, no idea what he is talking about. My children grew up with 3 parents, their mother and me when they were between their birth and pre-school and then they came living with me and my gay partner as their mother was unable at the time to have them...We love our children and they always have frequent contact with their mother, there was never a conflict or disagreement and my children have grown up into balanced and happy adults. All I am saying is when love guides your hearts and actions, there is no problem.

Sarah asked:

And what about the millions of children who have lost 1 or both "natural parents". Sure makes them feel great to be told they should have "natural parents".

And Mathieu said:

THIS is a perfect example of why a plebiscite might be "civil" in—

the Prime Minister's—

eyes and in the Parliament where people's jobs hinge on their choices of words, but in the eyes of any LGBT person or their families, on the level of the talk on the street and social media it will be anything but.

So do not be like Jeff. But also do not encourage Jeff. Encouraging Jeff and the others like him is exactly what a plebiscite would do. Even worse would be to give the people opposed to marriage equality $10 million, on top of the $160 million plus that we have already been
spending, to amplify their attacks. For politicians, we are used to it. Some would even say we are paid to cop it. But the others do not need this. A plebiscite would give a megaphone to the haters. And a plebiscite would tell us what we already know—that the vast majority of Australians are ready for marriage equality; they are way past ready.

Parliament should protect the rights of minorities not subject them to a harmful, hateful, non-binding poll. Why would you want to set such a dangerous precedent? The real reason is a sad reflection on this current government. We have a Prime Minister without the courage to stand up to a backbench that is stuck in the past. The plebiscite was a brainwave of the former Prime Minister, Tony Abbott, to delay the inevitable and to keep us behind the rest of the world. Some of the most conservative countries in the world have already legalised marriage equality. Quite frankly, it is embarrassing how far we have fallen behind. Australia should not risk being on the wrong side of history when marriage equality becomes the standard across the world.

So what is the way forward?

It is easy. We can enrich the lives of so many Australians through a simple vote in the parliament. We could do it this week. We could hear wedding bells ringing before Christmas. There are a lot of bills floating around parliament at the moment, but the reality is that it will take cooperation from all of us to make this happen.

It was pleasing to hear, in the contribution from Senator Pratt, the Labor Party's opposition to a plebiscite. I urge the Labor Party to completely shut the door and to make the announcement that they will join the Greens and join and some on the crossbench to block this plebiscite legislation when it comes to us in the Senate, because it is so damaging and unnecessary. To the Liberals who will listen, I ask them to put their internal disputes aside and vote with their heart. I ask Prime Minister Turnbull to allow that to occur, because we could end this so quickly. I ask everyone in this chamber and in the other place to listen to the views of lesbian, gay, bi, trans, intersex and queer Australians and to consider the survey that was done by the Parents and Friends of Lesbian and Gays Australia. It surveyed 5,500 LGBTIQ Australians, and overwhelmingly they said they wanted marriage equality, absolutely, and they wanted it as soon as possible, but they did not want to achieve it through a damaging, divisive popular vote.

I think we do need to come together. We can come together. We can bring together the best of us. We can listen to the views of people who are hurting at the moment, who do not have the rights of other Australians and who are suffering because of this largest state sanctioned discrimination, which is being imposed upon LGBTIQ people. We can listen to them, and people can then vote with their heart. We can move forward. We could have a vote in this parliament next week, then this discrimination would end and then Australia would catch up with the rest of the world. Instead, we are stuck in this debate about having a plebiscite that we will know will cause harm, that we know will cause suffering and that we know is not the precedent that we should be setting for the human rights of people.

We are talking about subjecting the human rights of a minority, of LGBTIQ people, to a popular vote. There are no other minorities that we are saying that this should happen to. The rest of us do not have to ask the rest of the country whether we can get married. For the rest of us, it is just accepted. It is how it should be for LGBTIQ people as well, so that together we can support and embrace their rights and really come together, because we know that love is
love. We know that they deserve to be able to get married and celebrate their love with the rest of us. Let us work together and put it into law. *Time expired*

**Senator McALLISTER** (New South Wales—Deputy Opposition Whip in the Senate) (16:40): You have to wonder why we are here still having this conversation about a plebiscite on marriage equality when a majority of Australians support marriage equality, as has been demonstrated many times in much polling, but, more importantly, when a majority of parliamentarians here and in the other place also support marriage equality. So knowing that that is the case, why is it that the Prime Minister is set on taking the nation back to the ballot box for a $160 million dollar opinion poll that will have no legal effect whatsoever? There is certainly nothing about marriage equality as an issue that demands that. Not constitutionally, not legally and not as a question of public policy do we need to have this plebiscite.

As the Leader of the Opposition put it so nicely this morning: in 115 years of our democracy, 44 parliaments before us have managed to declare war, negotiate peace, sign trade deals, break down the White Australia policy, float the dollar, build universal superannuation, pass world-leading gun control and legislate several changes to the Marriage Act, all without recourse to a plebiscite. So why is this different? What is it about this issue that means that we have to go to this very special public vote? Everyone here knows the answer. We know the answer and the people on the other side of the chamber know the answer. The difference is not the issue. It is not that the marriage equality is so unique and so special. The thing that is different is the Prime Minister. The Prime Minister wants a plebiscite because he fears the social conservatives in his party more than he wants change. The plebiscite is a ploy. It was dreamed up by the former, and perhaps future, Prime Minister Abbott and his clique in the 'Monkey Pod'. It was designed to push marriage equality off into the never-never. It was a way to look like you were doing something whilst very deliberately doing absolutely nothing at all.

If the Prime Minister wanted marriage equality we could legislate for it tomorrow. So why is it that the Prime Minister, who dons a leather jacket from time to time and who was once the darling of *Q&A*, has stuck with this position? It cannot make him very popular in the electorate. I cannot imagine that he wanders down to the shops in Double Bay and people say, 'Good on you, Malcolm; I'm really so pleased by the position you've taken on marriage equality.' It cannot do much for his standing amongst the Australian public as a person who is prepared to stick to his convictions and prosecute them in the place he has been elected to. The answer to why he is sticking with this, I would submit, is that the plebiscite was part of the price he paid for the job. It is part of his Faustian pact, and that is a term that is particularly relevant here, because Dr Faustus was someone who was not as smart as he thought he was and who made a deal with forces that he could not understand that he could not control. The Prime Minister is too scared of the social conservatives to do the things that he once said he believed in. Senator Bernardi may be thousands of kilometres away in New York, but one suspects that the Prime Minister sees his shadow everywhere he goes.

The plebiscite was a way to keep marriage equality from breaking what passes for peace in the coalition party room. This government is, in fact, so inept that it cannot even manage to drag its feet on marriage equality without falling into pieces! The government was supposed to have the supporting legislation before parliament by now. Instead, we find out that the proposal has not even gone to cabinet. There has been an embarrassing public split in the
party today on the question of whether there should be guaranteed public funding for the 'yes' and the 'no' campaigns. In today's newspapers, senior Liberals have all but accused the Prime Minister of lying. Senator Bernardi is reported in The Sydney Morning Herald as follows:

… "people will make up their own minds" about whether they believe Mr Turnbull or the church leaders.

It is unbelievable, and it is emblematic of the deep divisions in the Prime Minister's party room and his inability to control them and to pursue the agenda that he took to the election— as Senator Macdonald has so correctly pointed out.

If the plebiscite were simply a device to delay marriage equality it would be bad enough. The problem is that it is not just about delay; it is a wasteful, hurtful way to delay marriage equality. It is obviously unnecessary. As I pointed out before, the majority of people support marriage equality and the latest polling suggests that three-quarters of them do not think that a plebiscite is necessary. We also know that the Prime Minister and the opposition leader in this place support marriage equality. A plebiscite is a wasteful way of going about things—costing $160 million. That is $160 million that could be spent on so many other public services but instead will be spent on a vote which has no binding influence on any member of this chamber or any member in the other place.

It is likely that the plebiscite will be harmful. There is a real risk of hurtful, hateful speech—we know this because some truly awful things have already been said. Senator Rice gave us some examples. I have some examples. Most of us in this chamber who have in any way advocated for marriage equality have examples of incredibly nasty things that have been said about us on social media and that have been written to us—nasty things which, under the proposition of public funding for the 'no' case, could be advertised through television to LGBTI Australians in their own lounge rooms.

I question the impact that this will have on more vulnerable members of the LGBTI community and I question the impact it will have on their children. Senator Pratt pointed this out: two out of five young Australians who are gay have thought about self-harm or suicide. Think about that in the context of your own family. Think about your own children. Think about what it would mean for you to have a child who was exposed to so much community hatred that that was where they were at in their teenage years. A young Australian who identifies as gay is six times more likely to consider taking their own life when compared to their siblings, classmates, colleagues or teammates. The veteran gay rights campaigner Rodney Croome is reported today as having come to the conclusion:

… that it will be easier to achieve a cross-party free vote, or encourage Liberals to cross the floor, than it will be to conduct a plebiscite fairly and have a 'yes' vote implemented quickly.

What an indictment that is of the Prime Minister of this country—a Prime Minister who went to an election saying that he would conduct a plebiscite, a Prime Minister who went to an election—

**Senator Ian Macdonald:** He was elected by the people of Australia.

**Senator McALLISTER:** The Prime Minister was elected on the grounds of conducting a plebiscite, and yet the very people that he sought to speak to in making that commitment do not believe him. They have concluded that this process is a joke, that it will not lead anywhere and that it will not produce the results that people have been looking for.
This stands in very real contrast to the alternative pathway, the pathway that has served our democracy pretty well for more than 100 years, which is that the parliament takes its responsibilities seriously and takes seriously its responsibility to decide issues. That is why we are here. That is what we are elected to do. Labor takes that responsibility seriously. It is why we have introduced a bill into the House of Representatives today to legislate for marriage equality, as we have done so many times before. What does it say to LGBTI Australians that their issue is the only one that is so special that we need to have a special process to ask every Australian citizen about it specifically? What we want is a conscience vote in the parliament to let the majority of parliamentarians who support marriage equality have their say and get this done. But there is one thing you need to vote with your conscience, there is one thing you need to have a conscience vote, and that is the one thing that Prime Minister Turnbull seems to be lacking.

Senator IAN MACDONALD (Queensland) (16:50): At the start of this debate I express my sympathy for and understanding of those members of the Labor Party who I know hold deeply religious convictions—not many of them, I concede, but there are some. I have some concern about and understanding of their conflict over this whole debate and the fact that they are being ramrodded by the Labor Party into promoting a particular view. Having said that, at the beginning of my contribution perhaps I should indicate my position. I, like most Australians, hold no discrimination against people—be they gay or whatever their agenda or situation in life is. In fact, over the years this parliament has legislated to remove all forms of discrimination against gay people or people who, because of their gender, would have otherwise, earlier in their lives, been disadvantaged economically or otherwise. There is no discrimination within Australia, and I have not seen the sort of harm that Labor speakers have spoken about. I suspect that they are issues far removed from the topic of this debate.

My own belief is that marriage is between a man and a woman. It is a Christian ceremony and it should stay that way. When the plebiscite occurs I will be voting 'no'. But I do indicate that if the majority of the Australian public vote yes then I will vote yes in this chamber when the bill comes before us, because that is what democracy is about—that is what we are having a plebiscite for. And I challenge every other senator to say the same thing: will they commit today to voting to legislate the decision of the Australian public in the plebiscite? So that is my position. It is pretty simple; I do not need a great campaign. I think most people understand the issues and can vote without any major campaign. But if there is a greater decision to fund them then I am easy with that, providing it is equally funded.

There has been, today in question time, raised the issue of whether either side should be funded. Labor speakers have made a big thing about the Bishop of Sydney saying one thing and the Prime Minister having a different version. What the heck is that all about? Quite frankly, my own personal view is we do not need to fund it. I think most people understand the issues and can vote without any major campaign. But if there is a greater decision to fund them then I am easy with that, providing it is equally funded.

I pause here to emphasise the difference between the Labor Party and the Liberal Party. You see, in the Liberal Party, we are allowed to have different views. We are allowed to have
our own views. We are not regimented to have the view of the unions, who control the Labor Party. So I can say, quite frankly, today I have not heard the arguments, I must say, for having the 'no' and 'yes' cases funded so perhaps I am speaking a little bit out of turn. I will hear the arguments once cabinet has had its determinations and when the matter comes before the coalition party room tomorrow. In the coalition party room, we are entitled to say what we think and make our points and we will do that. At the end of the coalition party room process, the government will come to a conclusion. But whichever way it is, I am relatively relaxed about it.

What this whole point is about is that for years our side of politics, the coalition, has had a policy that marriage was between a man and a woman. In fact, the Marriage Act was changed a few years ago to provide for that and that has been the policy of our party. We went to the 2013 election with that policy and that commitment. Because we made that promise, I know, a lot of Australians voted for us. In fact—I do not like to admit too much family political discussion—I have a nephew who has never voted Liberal in this life. He says he always votes for me but I am not 'Liberal'; I am a 'relative'. But other than that, he always voted Labor. At the last election he voted Liberal because he has a very strong view on this particular issue.

The coalition went to the 2013 election with a commitment to the Australian people that marriage would be between a man and a woman. After the 2013 election, the coalition had a big discussion about it. There was a lot of comment, there were different arguments put forward, and the ABC ran its relentless campaign as it has done from day one on this—it is a pity the ABC did not run the same campaign on homelessness or help for our neighbours or whatever. But as a result of that and many other things, the coalition then decided that we would go to the next election and we would do the fairest thing that could be done; we would leave it to the Australian people to decide what it should be.

So prior to that 2016 election, we said to the Australian people: you elect us as a government and we will not have a conscience vote in parliament. What we will do is put it to you at a plebiscite to determine what you, the Australian public, think about this. There could not have been an Australian, who was interested in this subject—I might add that qualifier—that did not know where the coalition stood. I am not sure the Australian people, in a democracy, knew what the Labor Party stood for because that seemed to change as we approached the last election. First of all Labor had one view then they had another view, then they smelt the way the wind was blowing and then they consulted with the unions. But they did go to the election, I think, with a firm commitment to a parliamentary vote.

The Greens have always had that position and, whilst I do not have a great regard for any policy of the Greens, at least on this issue they have been consistent—consistently wrong, I think—so we knew where they stood. The Australian people knew that if you voted Labor or if you voted for the Greens, you would get perhaps a conscience vote in the parliament. But if you voted for the coalition, you knew what you would get: you would get a plebiscite where everybody, every single Australian could express their view. It does not need me to tell the chamber what the result of the election was. We are sitting on this side so clearly we won the election, which means the majority of Australians believed in most of our policies but this was one of them and they accepted our version that when or if we won the election, there would be a plebiscite.
Unlike the Labor Party, which makes promises before the election and completely disregards them afterwards, we are not of that ilk. We make a commitment, we make a promise prior to an election and we intend to stick by it. I do not need to remind too many listeners that there was an election where Labor promised ‘there would be no carbon tax under the government I lead’—remember that? Hand on heart, hand on the Bible—well, I do not think it would have been the Bible—‘there will be no carbon tax under a government I lead’. Do you remember that? It was a firm promise just before the election. In fact, three days before the election, two days before the election and one day before the election there was this commitment that ‘there will be no carbon tax under a government I lead’. And remember, as soon as the Labor Party leader did lead that government, what the first bit of legislation they brought in was? The introduction of a carbon tax.

For the Labor Party, you can make promises before the election and, afterwards, you can treat them with disdain, you can ignore them. It is like, as I often mention—not many people remember this, but I was around then—the L-A-W law tax cuts. Mr Keating, the Labor Prime Minister, not only promised but actually legislated for tax cuts, before the election he did not expect to win, and promised that they were there forever. When he unexpectedly won the election, what was the first thing he did? He reneged on that commitment for tax cuts for hardworking Australians. The Labor Party will make any promise they like. It does not really matter—‘We're not going to honour it, should we win the election.’ That is the real difference between the Liberal Party and the Labor Party. That is why we, on this side—even those who vocally support same-sex marriage and those who are committed to it—make a promise and stick by it.

Again, I raise the question: if, as Labor and Green speakers have said, everybody in Australia supports this, why not have the plebiscite? Why not go ahead and put it beyond doubt, once and for all? Let the Australian people have a say on this issue which, for many people, is very, very troubling. I do not feel, as an elected parliamentarian of some years now, that I can commit to the people who voted for me to a particular position on this. I can commit to them on an economic issue. I can commit to them on infrastructure issue. I can commit to them on a border protection issue. But I do not want to commit to my fellow Australians on an issue that, for many, is as sensitive as this.

For many, it is a matter of deep religious conviction—not for me, I might say, but for many it is. If the majority of the Australian people are so overwhelmingly in favour of this, what is wrong with the plebiscite? Why not go ahead and put it beyond doubt, once and for all? Let the Australian people have a say on this issue which, for many people, is very, very troubling. I do not feel, as an elected parliamentarian of some years now, that I can commit to the people who voted for me to a particular position on this. I can commit to them on an economic issue. I can commit to them on infrastructure issue. I can commit to them on a border protection issue. But I do not want to commit to my fellow Australians on an issue that, for many, is as sensitive as this.

For me, it is a pretty simple matter. It is a matter of trust, keeping your promises and keeping your commitments. The Labor Party find that foreign. I am proud as a Liberal to abide by this underlying principle: when you make commitments prior to an election, you honour them.

_Senator Kim Carr interjecting—_

_Senator IAN MACDONALD:_ Senator Carr, from the Mal Colston faction of the Labor Party, would not understand what that was about. Keeping your word and honouring your
promises is something foreign to the Labor Party but something that I, as a Liberal, am proud
my party always adheres to.

FIRST SPEECH

The PRESIDENT (17:03): Order! It being just past 5 pm, pursuant to order I call Senator
Hinch to make his first speech and remind senators of the courtesy we extend to senators
giving their first speech.

Senator HINCH (Victoria) (17:03): Mr President and fellow senators, good evening.
Thank you for attending my first speech. I am humbled and I am honoured—even a bit pinches
me gobsomacked—to be standing here as an elected representative of the people of Victoria.
Being privately given my senator No. 576 security pin and symbolic gold pass by Rachel
Callinan, the Usher of the Black Rod, touched me and moved me more than I could have ever
known or dreamt.

Senator Hinch—last year it was not on my agenda or my bucket list. A year ago, we had
just formed a political party. Hinch, a politician? Give me a break! He has been fighting with
pollies and Prime Ministers for decades. But it is truly a great honour and a challenge, a big
challenge, in any Australians' life to be chosen by the Australian people to represent them in
this august national assembly, this chamber of democracy. It brings with it an awesome
responsibility. I am now, as you all know, one of only 580 people who have held the title—
ever. That is hundreds fewer than have worn the baggy green or played VFL or AFL football.

Reportedly, I am in the record books as being the oldest person ever elected to the
Australian Senate, so I guess I will be enshrined as a Trivial Pursuit question! When that fact
was made public, somebody tweeted, 'There should be an age limit in the Senate.' I tweeted
back, 'I agree 100 per cent—what minimum age do you suggest?' Jokes aside, I do not take
the task lightly; I believe I am in a unique position.

I have met every Australian Prime Minister since Robert Menzies—I met 'Ming' in 1964. I
have interviewed most Prime Ministers since then, from Harold Holt on. I did not vote for any
of them. I did not vote against them, because I still think compulsory voting is wrong. I think
it is undemocratic and I will campaign against it while I am here. I also still believe that
media commentators should be exempt from voting. They should not vote or, if they do, they
should tell you how they vote. You can be granted an exemption—you may not know that—
on religious grounds, so why not on moral, philosophical or occupational grounds? I have
been accused of hypocrisy for voting for the first time on 2 July. Well, I am no longer a
journalist. I did point out I had waited a lifetime to find someone worth voting for, but that is
a joke, Joyce!

I also think it is an appalling situation that, in this IT age, one month after a federal election
the results still were not officially known—not to mention the census debacle. Surely
something is rotten in the state of Denmark, as they say, when all of us here in the Senate
today started getting our taxpayer funded pay cheque from 1 July when we did not even sit for
one day in this chamber for the next two months and will barely sit again until Christmas.

Speaking of what happens and does not happen here in the Senate, I also think it is wrong
that there are so many media restrictions on when and how you can be filmed or
photographed in this chamber. It is wrong that a senator can only be photographed when he or
she is on their feet and has the call. This is the people's house of review. The media should be
able to see us in action or inaction. If you get caught nibbling your earwax, counting your money or dozing, that is tough. I was fair game when I got caught with eyes closed during the Governor-General's boring recital of Malcolm Turnbull's speech. I will introduce a motion to try to change this and I will join a press gallery High Court bid, if necessary, to allow the same freedoms for media photographers here as there are in the lower house.

My ambition in this house is to do my best for the people who elected me. I know all politicians say that—we all say that. I will call things as I see them; my career supports that. People ask me how come I get sacked so often. At last count, I have been fired 16 times. And I say, 'Well, they hire me for who I am and what I say, and then they fire me for who I am and what I say.' And the people of Australia, of Victoria, just hired me, and if they do not like it they are entitled to fire me.

It looks like it will be three years. It should be six, as you know, under S282, which was brought in by Prime Minister Bob Hawke, which he thought was a fair call. A six-year term for me, and the Greens Senator Rhiannon in New South Wales, was one of the recommendations from the Australian Electoral Commission when they returned the writs on 8 August. The electoral pendulum inventor, Malcolm Mackerras, agrees with that. But you big boys got together—surprise, surprise—and what the Liberals and the Greens started in 2016 with that unholy alliance to destroy the minor parties, the government and Labor continued with your minor party stitch-up in this chamber. It was a Senate decision; it was not a constitutional one. And self-preservation prevails. But at least I got my first division vote, even though I lost it.

Anyway, I have said that, as Leader of Derryn Hinch's Justice Party, I will try to be an unpolitical politician, a commonsense politician. I will not be PC—I will not be politically correct. That is why I say from the outset that I have hopes, high hopes, of achieving good things. I have seen other people come here with high hopes and great dreams and stumble and crumble. An Australian icon, Peter Garrett, was a man of principle who came here cloaked in great ideas and ideals, many idealistically ingrained in him from the lyrics of Midnight Oil. He left broken, disillusioned and compromised, unfairly shackled to a Labor government's fatally reckless pink batts scandal, which cost four young lives.

Neville Wran, former New South Wales Labor Premier and Labor Party president, once admitted over a bottle of confessional chardonnay that by the time you get to the top you are covered in so much blood and muck from the deals you made on the way up, you forget what drove you, what inspired you, into seeking public office in the first place. Well, I am not a horse trader; I am not a wheeler and dealer. I have spent half a century as a journalist trying to keep the bastards honest, and having the title 'Senator' in front of my name will not change that. In fact, it might make it easier to name names without having to wear an ankle bracelet or go to jail again or be under house arrest again, trying to protect children.

It has been speculated that I will use parliamentary privilege to name names under the protection of what is derided as 'coward's castle', and I will. But it will be a court of last resort. I will not be a 'cowboy'. But, if it is necessary to protect a child's wellbeing, then, damn right, I will name the human vermin, and I will tonight—like a Canberra degenerate whose semen was found on the nappy of a two-year-old girl. His mother was babysitting her the time. The Canberra Times did not name him, but he is Juan Carlos Cruz. For this disgusting crime, almost incomprehensible to normal people, he was sentenced in Canberra to only three
years and three months imprisonment, with a non-parole period of 20 months—20 bleeping months—and that is a sick judicial joke. The offender was born in El Salvador, and if he is not an Australian citizen I believe he should be deported the minute he finishes his paltry sentence. Juan Carlos Cruz continues to deny the offences. The judge said he showed no indication of remorse, contrition or acceptance of responsibility. So I would say: deport the scumbag.

Then there were the two Victorian degenerates whom I named on the steps of Parliament House and then, because of it, spent five months under house arrest and lost my job at 3AW: the Armadale rapist, Mark Jewell, and Gordon Taylor. And how about that evil creature Brian Keith Jones, nicknamed Mr Baldy because he kidnapped young boys and shaved their heads and painted them with lipstick and dressed them in girls’ clothes. And recently he had his name suppressed again, and he is walking our streets again. You have to say: why? You have a right to know who he is, what he looks like and, more importantly, where he is.

On a brighter note, recently I went holidaying in Hawaii—I paid; the taxpayer did not—and I watched the US presidential election conventions on TV. I have seen a lot of them. I actually went to a few of them as a foreign correspondent in the sixties, seventies and eighties. You know, they tell you every four years how they are going to make America great—again. Jesus wept. I have been hearing that ever since JFK in 1960. 'Yes, we can' becomes, 'No, I can't or, 'Sorry, we didn't.' But we also hear the same thing here every three years—visions, dreams, promises, slogans, 'jobs and growth', 'never been a more exciting time to be in Australia' et cetera, et cetera, as Yul Brynner once said. It is bullshit. I spent months on the 2016 election campaign. We covered 11,250 kilometres in the Justice Bus. I can say to you: do you know what? Both major parties were so on the nose this time. You know why so many of us small party senators got elected—because, as Peter Finch said in the movie Network, Pauline, 'I'm fed up and I'm not going to take it anymore!' And the voters did not, and they will not next time either.

I have been chastised for using this expression, so this will be the last time I ever do. I called the campaign 'the Shakespearean election: a pox on both your houses.' But it is right. And if you Liberals think that the superannuation issue and feared retrospectivity did not affect your primary vote, especially here in the upper house, well, tell 'em they're dreamin'!

This may seem somewhat out of kilter tonight, but if you bear with me I want to go back to my days—as I think we do in first speeches—as a teenager in a small town across the ditch in New Zealand. I remember as an impressionable kid reading about the Project Mercury astronauts and the Americans’ amazing plans for space exploration. This was even before President Kennedy's incredible promise to the world that, 'The United States, before this decade is out, will land men on the moon and return them safely to earth.' This was 1959. You wonder—I wonder—how could a scrawny kid, me, living in a small town in a small country, at the arse end of the world, as Paul Keating used to call it, even conceive that, before the decade was out, I would be at Cape Canaveral watching Armstrong and Aldrin and Collins blast off for the moon, standing within metres of the Apollo 11 astronauts.

I have been lucky. I once told a boss at Fairfax that you make your own luck. But I have been lucky to stand and have a seat on the aisle of history, watching those men go to the moon. I have covered political tragedies like the assassinations of Martin Luther King Jr and Bobby Kennedy. And, thanks to the generosity of 3AW listeners in Melbourne, we chartered
a plane and took $400,000 worth of high-protein food, blankets and cooking oil to Ethiopia during the famine and saw 25,000 refugees, virtually all of whom would die, in a starvation camp on the outskirts of Alamata. I stood in the desert alongside an incredible Australian medico, Dr Tony Atkins. In front of us, sitting in the dust, were starving mothers, fathers and their children. And, even there—even there in the midst of poverty, and the famine and the suffering and the disease—families had each laid out a tattered blanket anchored on the corners with stones, as a sort of last, desperate attempt at a patch of family turf. Each morning, the mothers would shuffle up to the stall where Dr Atkins had an ancient set of greengrocers' scales, and their baby would be placed on the scales, and if they reached a meagre weight they were ticked for food and for medicine. But if they literally failed to make the weight, they were turned away; they were too far gone. With only enough supplies for the saveable, that tragic system of the human lifeboat, the triage system, kicked in, in the middle of the desert in Africa.

And I thought that playing god for those mothers and their babies would lead Atkins to a nervous breakdown. I often wondered what happened to him. Coincidentally, the election brought us together; our paths crossed for the first time in more than 30 years at the Berwick market one Sunday morning.

Speaking of life and death, I want to talk about organ transplants and organ donations. Without a donated liver, I would not be here and, to be blunt, my funeral would have been held five years ago. That is why I want to help trigger the signing up of one million more organ donors in Australia, activating and promoting the government's new app to make it easy to sign a living will, which means a donor commitment that no family member can overturn. Imagine—a million more donors in a country where our donor-to-population ratio is abysmal compared to other Western countries.

For a while, in my book A Human Deadline, I advocated strongly for the opt-out system rather than the current opt-in system. Under opt out, like they have in Spain, everybody is considered to be a potential donor unless you just opt out—you sign a register to say you do not want to be an organ donor for cultural, ethical or religious reasons, or no reason, or any reason; you just don't do it. The downside of opt out is that people depict the government as body-snatchers—like, 'It's my body. How dare they! They are ghouls!'

Opt in is where you sign the register as a willing organ donor. But the weakness there—and not many people know this—is that signing up does not guarantee that your organs will be considered for transplant. Your loved ones can overrule you—overrule that wonderful decision. And they do. And of course you will never know. It happens in more than 40 per cent of cases. Families are in understandable grief. They cannot or will not make the decision to donate. And that means that healthy, lifesaving organs are thrown into hospital rubbish bins, and then they get burnt.

I know it is totally understandable. Can you imagine? I have seen this: a young mother waves her nine-year-old daughter off to primary school and, because of some ghastly accident, she is now standing in the hospital's intensive care unit 12 hours later being told that life support is being turned off and, 'Will you donate your daughter's organs?' There is a compromise between opt out and opt in which I call 'opt in plus'. It would not alleviate that example, but it would guarantee a living will clause, which I hope you will consider, where, if
you are on the donor list, your wishes in death would be honoured. This version is now being successfully used in five or six states in the United States.

I do have a vested interest, obviously. I am possibly the first senator with an organ transplant—I am not sure. So here is a little bit of background. Six years ago I was diagnosed with terminal cancer and given at most 12 months to live—primary cancer of the liver. I have held my old liver in my hand. I have met the family of my donor, Heath Gardner: his mother, Lynda; his father, Trevor; his sisters Kimberly and Melanie.

I want to dwell on this, because being an organ donor is so important. You can save not only one life; you can save five lives; you can save six lives. And Heath Gardner saved mine.

I said to the pathologist, Peter Crowley, 'Do you see many as bad as this?' And he said, 'Usually in autopsies.' And I said, 'Well, how long do you think I had?' And he said, 'Well, now I've got it out and had a good look at it, I reckon about two weeks.' As Elton John would say, I'm still standing. So, thanks to the Gardner family, the skills of Professor Bob Jones and his team, and the brave research of a man called Professor Thomas Starzl—the American doctor, the professor, who invented liver transplants 50 years ago—I stand here today, because of that, in a unique position to try to help save thousands more lives.

A year after the transplant, when given permission to fly again, I went to my beloved New York, the metropolis that I thought I would never see again; I had farewelled it a few months before I had the operation. When I went back I did a side trip to Pittsburgh to thank Professor Starzl, the man who invented liver transplants. When I got back to Manhattan after that meeting, I received an email from the doctor, which at first seemed strange because it started out, 'Derryn, it was an honour to meet you,' and I thought, 'Surely it was the other way around!' But then I read the rest of it, and it can still bring tears to my eyes because the man who invented liver transplants and saw his first seven transplant patients die, and was ridiculed by his so-called peers as a medical cowboy, wrote: 'Derryn, I can't tell you how warmed I was to see firsthand in you the distant ripple of the silly dream that I first had more than half a century ago.' So thank you, Thomas Starzl and Heath Gardner.

And also thank you, my paternal grandmother, Sarah Elizabeth Hinch, for some sage advice I tried to live by when told I had cancer and was going to die. She used to say about life—and she lived to 96: 'It's not what happens to you in life that matters; it's how you handle it.' And I hope I handled that diagnosed death sentence in a way which would have made her proud. I hope some acts of kindness since then and this new career in public service will show that I have tried to use these bonus years well, if not always wisely.

On another issue of life and death—this is dying with dignity—the cause of voluntary euthanasia has been one I have championed for decades. When my mother was dying of terminal lung cancer 26 years ago, I sat at her bedside alone with her on her final night. She had no dignity. She had no quality of life. She was lying there semicomatose, incontinent, a pillow stuffed between her legs, starving like one of those Ethiopians I had seen—dying, but not with one shred of dignity. And I have said: if she had been a dog and an RSPCA inspector had walked into that room that night, I would have been charged with cruelty to animals.

What the Howard government did to overturn the Northern Territory legislation and the relentless campaign to thwart Philip Nitschke was, I believe—it was then and it is now—inhumane religious bigotry. I hope this parliament will reflect the will of 75 per cent of the
Australian people and pass dying with dignity legislation or, at least, let individual states do it. For starters, I want to scrap what is dubbed the Andrews bill, the federal block on the Northern Territory, the ACT and Norfolk Island. Then, we could move towards dying with dignity legislation, like the one proposed in Victoria after that state's rational upper house inquiry.

I do stand here today hoping to rewrite or scrap some old laws and bring in some new ones. On the outside I managed to change a couple. For example, this year at midnight on the Wednesday before the federal election the advertising blackout kicked in. The Libs would have liked that. At least it stopped Labor's scurrilous deceitful 'mediscare' commercials. Until I campaigned to get the electoral blackout laws changed back in the 70s, not only were political ads banned but so were all political news stories and comments on radio and television. It was still open slather for newspapers. It is hard to believe, isn't it? But for 48 hours—actually, 66 hours—for the close of the polls, all political news and comment was banned on electronic media.

I am not sure how they would have regulated Twitter or Facebook this time around because paid political party ads were still appearing on the internet after the ban kicked in this year. So all political news and comment was banned, like in some dictatorship. What would radio and TV have done if Harold Holt had gone missing off Portsea during a media blackout? They could not have legally reported it. I still automatically answer every phone call just in case it is Harold Holt.

It was a bad law. I first broke it in the state election of 1979 by merely reading out loud on 3AW a story from the front page of The Australian. Then I defied it again at two federal elections. And Prime Minister Bob Hawke finally scrapped the stupid undemocratic law in late 1983. I remember saying, at the time, I was pleased my generalist colleagues were behind me. I just did not realise how far behind me they were. It was an anachronistic law and I am proud of changing it.

Another one: I was convicted, fined and sentenced to 250 hours of community service for naming a judge in a rape-in-marriage case. The judge ruled, in Victoria, that a man could not be charged with raping his estranged wife—under a 350-year-old British law. The husband even walked free on a common assault charge. After the decision, the physically and emotionally injured victim, the wife, phoned me. To make it even worse the judge had suppressed all evidence before the court. So I told the story on radio. I did not name the alleged rapist. That would have identified his victim because the wife still had her husband's name. I did not even name the court. I thought that could possibly give a clue to her identity from court lists. But I did name the judge, Judge Frank Dyett. Frankly, amongst other things, I thought his own wife should know what a Neanderthal she was married to. Anyway, I argued unsuccessfully that Judge Dyett had only suppressed what was before the court. His name was not before the court. He was the court. I took him on and I lost. But a bad law was scrapped.

I also went to jail for naming a paedophile priest, Michael Glennon, who is still running a camp for young kids at Lancefield in country Victoria, even though he had already spent a year in jail for the rape of a 10-year-old girl. Still ordained. Still assaulting children. What a forgiving church. Suffer little children. I was called a cowboy—that word again—even though I have been to the Premier, the Attorney-General, the police minister and the hierarchy.
at the Catholic Church. They all said, 'Leave it to the courts.' As it turned out Father Glennon was still sexually assaulting children at that camp, at that time, and later was convicted and jailed for those new crimes, which was scant consolation for his victims. And maybe, if we had had the public register of convicted sex offenders back then and Glennon was on it for the rape of that little girl, a parent would not have sent his or her child to that camp or to Glennon's popular martial arts school for kids, in Melbourne, or the junior football team that he coached, providing an evil priest with even more victims.

This public register, which is so important to me, is what triggered Derryn Hinch's Justice Party. After I got out of jail last time, after serving 50 days on contempt of court charges over that piece of excrement Adrian Bayley, hundreds of people joined me for the Jail 2 Justice walk, a 10-day 180-kilometre journey from Langi Kal Kal Prison to the steps of Victoria's parliament house to present a multivolume petition calling for a national public register of convicted sex offenders. Convicted sex offenders.

Like Megan's Law, named after seven-year-old Megan Kanka, who was stalked, raped and murdered by a convicted sex offender—who lived anonymously across the street from Megan and her parents. He lived there with several other convicted sex offenders. The local police did not even know their background. I have talked to Megan's mum, Maureen. One of her memories gives me the shivers and would give any parent the shivers. It epitomises every parent's nightmare, when they could not be there to protect their vulnerable, innocent child when they were needed the most.

I guess Maureen Kanka wished, at least, that what had happened to her daughter, her little girl, was mercifully quick. She wished Megan was maybe unconscious and spared the pain, spared the horror. But police then told the mother how they got the confession from Megan's killer. They saw the scratch marks on his arm, from a child's fingernails, where Megan had fought so desperately and unsuccessfully for her young life—an image her mother, Maureen Kanka, will carry to her grave. Megan's Law, which started as a state statute in New Jersey, after Megan was raped and murdered, was signed into national law by President Clinton in 1996. That was 20 years ago. That is why I say it is a travesty. It is a disgrace. It is incomprehensible to me that we do not have such a law in Australia.

The public has a right to know. Parents trying to protect their vulnerable kids have a right to know. You have a right to know who is living next door to your family. Ask Shirley and Allan Irwin. Maybe if their daughters, Colleen and Laura, had known that a convicted rapist had lived across the street they might still be alive. Ask George Halvagis. His daughter, Mersina, was murdered while tending her grandmother's grave in Fawkner Cemetery, killed by Peter Dupas, a man who should not have been out of jail at the time.

Senior police—very senior police—have told me that the current state registers and whether your name even goes on there, and at the discretion of a judge or magistrate, are unworkable, unenforceable. They are merely public relations exercises to make you, the public, feel good about them. And did you also know that almost all sex offenders on those lists self-report anyway, because the coppers do not have the time or the resources to check up on them? It is a sick joke! That is why I promise, I vow, I will not give up till such a register as Megan's Law exists nationwide in Australia. Let's call it Daniel's Law, after Daniel Morcombe, who maybe would still be alive today if his killer, Brett Peter Cowan, had been sentenced to a real jail term years earlier for the abduction and rape of a seven-year-old boy.
from a Darwin caravan park, whom he then left for dead in a burnt-out car. If Brett Peter Cowan's name, photo and crimes had been listed on a public register, maybe Daniel's brave parents, Bruce and Denise, would not have had to suffer more than a decade of not knowing if their little boy was dead or alive.

Maybe Jill Meagher would still be alive today if serial rapist Adrian Bayley had been on a register or, better still, if a magistrate had done his job and not released him on bail to appeal a piddling three-month jail sentence for knocking a man unconscious in Geelong at 2.00 am, when Bayley was on parole; or if the parole board had done its job and listened to the sex crimes unit and to Bayley's own parents and revoked his parole because of well-founded fears he would attack again. And he did. The magistrate in Geelong must have felt the same way, because one of the scumbag's bail conditions was that he not visit the Geelong area for 12 months. So Bayley went to Coburg in Melbourne, and went to Brunswick. And Jill Meagher died in an alley.

Finally on law and order issues, I want to do something tangible to end Australia's paedophiles' involvement in the repugnant sex trade in Asia—in Indonesia, the Philippines, Malaysia, Vietnam, Thailand and Myanmar. How can a convicted sex offender retain his passport to travel to Asia to buy children? But they do. As actor Rachel Griffiths asked me when she appealed to me for help: if a bankrupt can have his passport seized for seven years, why not a convicted paedophile? That is a good point.

In the Senate I also promise to keep up my campaign to ban live exports. I will admit it has not been very successful so far; the Greens will go along with that. During the election campaign, some Labor lackey accused me of jumping on the bandwagon and called me a Johnny-come-lately. 'Labor', he tweeted, 'had been campaigning for a live export ban since 2012.' Yeah, right. The ban, which was actually in 2011, was one of the achievements of the Gillard government, but the day the ban was announced I went on 3AW and I opened my program with some advice for the redoubtable Lyn White and her wonderful team at Animals Australia. I said, 'Don't start popping the champagne corks yet, because Hinch's hunch is that this ban will not last long.' And it did not. It lasted, what—six weeks?

The goal will be even harder to reach now with the Libs back in the saddle and 'Barnaby' Barnaby as the farmers' friend, if not the cattle's protector—another case of money before morality. I know the Libs love live exports. Even when you see the gory proof of animals being sledgehammered to death in Vietnam, it is a mere technicality. I will remind you what Gina Rinehart's father, Lang Hancock, said when George Negus told him that 25 workers had died from cancer, from mesothelioma, from working in the asbestos mine at Wittenoom. Lang Hancock said, 'That's the price you pay for progress.'

As for jumping on the live export bandwagon, I brought my first petition to Canberra, urging the federal government to ban live exports, in 1981. I handed the then primary industry minister, Peter Nixon, a petition with 30,000 names on it; now millions of Australians support a ban on live exports. Back then we were protesting against the live export of horses to Japan and live sheep to the Middle East. That was 35 years ago. It was prompted by a maritime disaster off Fremantle when more than 10,000 sheep took up to four days to die in a fire aboard an overloaded multideck carrier.

It was around the same time that we were protesting against cruelty to circus animals. There were not a lot of us; I think that at Burnley Oval in Melbourne on a cold winter's night
there was me, Lynda Stoner, Peter Singer and a couple of others, and a dog—bloody animal lovers were all nut jobs, remember? I also supported New South Wales Premier Mike Baird's decision to ban greyhound racing from next year, and I hope that eventually that will have a domino effect and lead to a phased-in ban in all states. They had decades to clean up this corrupt, cruel sport and they did not, would not or could not do it.

I hope I have not bored you. I want to conclude by flashing back nearly 50 years to Saint Patrick's Cathedral, New York, in June 1968, at the funeral of assassinated presidential candidate, Robert Kennedy, only five years after his brother, President John Kennedy, had been assassinated in Dallas. Many of us, the mourners and the reporters, inside Saint Patrick's that morning had been in a different, smaller church—the Ebenezer Baptist Church in Atlanta, Georgia—only eight weeks earlier for the funeral of assassinated civil rights leader Martin Luther King Junior. The mourners there had included Bobby Kennedy. I will always remember the words that Teddy Kennedy, the sole surviving Kennedy brother, struggled to deliver in his eulogy to Bobby at Saint Patrick's Cathedral. He said his brother tried to live by the words of Greek philosopher and playwright Aeschylus: ‘Some men see things as they are and say why? I dream things that never were and say why not?’

I heard Bobby Kennedy use that quote often on his ill-fated presidential campaign in '68, before he was assassinated in Los Angeles by Sirhan Sirhan. Those words have stayed with me for five decades, and I still dream things that never were and say, ‘Why not?’ in a country which welcomed me here as a young reporter, a callow youth, back in 1963 and accepted me as a proud Australian citizen in 1980—36 years ago. The Australia which I dream should be, and must be, multicultural with tolerance and respect for new cultures but equally with tolerance and respect for old ones. They must be honoured.

The Australia which I dream should enshrine our Aboriginal history but also acknowledge our failings, not just by white bureaucracy—which often has been cruel, if sometimes well-meaning in its ignorance—but also by those Indigenous leaders who betrayed their own people and stole their money; hypocrites like that rapist, Geoff Clark, who destroyed ATSIC. There have been other Indigenous shysters as well. After all the decades, the decades of waste, the hundreds of billions of taxpayers' dollars spent on Indigenous welfare and health projects and state and federal agencies and committees since Whitlam, there should not be one Aboriginal child or Torres Strait Islander without access to clean water or health care, not one Aboriginal child with trachoma nor an Aboriginal child vulnerable to sexual violence by family or a neighbour while elders in remote communities cover it up.

I remember several years ago opening my current affairs program on 3AW in Melbourne with a news report, 'Two girls aged seven and nine were taken from their beds and raped in Toorak last night.' It did not happen but now I have your attention: it may not have happened in Toorak that night but it sure as hell happened in a settlement somewhere outside of Alice Springs, Darwin or Mount Isa. So the Australia of which I dream will see perpetrators of those crimes brought to justice. Why not?

The Australia of which I dream should be a multicultural one, which means respect for new cultures as well as old. That is true, but that does not mean we embrace or make legal or turn a blind eye to brutal or demeaning or discriminatory customs brought from abroad. When they breach our law, criminal charges should be laid. Why not?
Thirty years ago as a reporter in Africa, I wrote about FGM—female genital mutilation; young girls butchered. Their legs would be tied together and cow dung smeared on their hacked vaginas to create scabs. That foul custom still exists. Millions of girls have been mutilated. It happens here in Australia as well. The wielders of the knife should be jailed. The innocent girl's parents should be prosecuted. Why not? Likewise, those who surrender their daughters as child brides should be prosecuted, as those who conduct those illegal ceremonies should be prosecuted. Why not? And the so-called husbands of these child brides should be charged with child rape. Senator Hanson and I forced a change in child bride legislation in Victoria this month, and I hope that is a harbinger of things to come.

Sharia law must never come to Australia. It should not even be countenanced. Personally, I do not believe we should have separate Koori courts either. We have a legal system. As faulty and out of touch as it often is, that is true, it is one system. Why not just improve it? Why not? When things happen like the abhorrent treatment of Indigenous child prisoners in the Northern Territory, courageously exposed by Four Corners, then rightly hold that royal commission and make sure that criminal charges follow where necessary.

I mentioned 'Sharia law'—two words you are not meant to use in these days of political correctness, like those other two words 'Muslim terrorists'. In my new elected role, I will not be PC. I will speak out against Islamic terrorists, against Muslim extremists. I have said before that I believe that ISIS is the greatest threat the world has seen since World War II. It is a sad prediction that eventually an international force of ground troops led by Middle Eastern countries, you hope, will be necessary to defeat the terrorists—and Australia may have to join them.

But I will not support shrill scaremongers who want to ban all Muslim migrants, put CCTV cameras in all mosques and ban new mosques. Do not get me wrong; I would happily support putting court-ordered secret cameras and listening devices in a mosque, church, synagogue or town hall if the security of Australia were at stake. But we did not ostracise all Catholics when the IRA was bombing restaurants in London. So like them, we can and we should expect community leaders to condemn the cancer in their own ranks and turn them in.

If there is proof that Halal certification funds are going to support and fund international terrorism to fund ISIS then that is a crime against the state. Track them down, prosecute them and confiscate the money.

This leads me to another old chestnut: freedom of speech. It must be preserved, even when that freedom of speech repulses you and offends you, as it often repulses and offends me. In a democracy, freedom of speech must be precisely guarded. Argue against the bigots; subject them to facts and ridicule. But do not make them martyrs; they will get elected. That is why I am campaigning to repeal or, for starters, amend 18C of the Racial Discrimination Act. You cannot say we have freedom of speech when people can be charged and convicted of a crime because they are deemed to have offended or insulted someone.

Andrew Bolt, who is no friend of mine, should never have been charged let alone convicted. We say and we march and we proudly tweet, 'Je suis Charlie.' Yeah, sure, as long as Charlie is singing from the same songbook that you are. Bugger Voltaire. When cartoonist Bill Leak was being vilified for his cruel but accurate portrayal of a neglectful Aboriginal father, I tweeted, 'Je suis Charlie but ban Bill Leak.'
Even my new colleague Senator Brandis was right when he, albeit clumsily, tried to defend a bogan’s right to sound like a bogan, as I, no doubt on occasion, will have to defend the right of my other new colleague and Sunrise sparring partner, Senator Hanson. It is called freedom of speech. As a journalist and commentator for 56 years, as a person who cherishes freedom of speech and who recognises and will pay tribute to the Anzacs who died to protect and preserve those precious freedoms, I am offended and insulted by any law that has emotional words like 'offend' and 'insult' enshrined in it.

I do accept and I applaud laws that say that you are committing an offence if you shout 'fire' in a crowded theatre or, as a self-styled sheikh, you publicly incite violence by targeting a racial or ethnic or religious group. They are crimes. But there are, too, laws of defamation and there is monetary compensation for genuinely aggrieved victims.

That leads to the cruel taunts that will be thrown at vulnerable gay people during the plebiscite debate—if that ever gets off the ground. And I will vote against it. Plebiscite sounds great—it is just a public opinion poll. By blocking it, we will save $160 or $250 or $300 million.

As a Victorian senator, I hope to announce some ideas soon to create those jobs and growth the PM keeps talking about, especially for thousands of workers in Geelong, Broadmeadows and Fishermans Bend who will be in dire straits after the automotive industry closes. All of that will, I am sure, be aired in this program—in this chamber; 'program', a Freudian slip.

Now, I know this maiden speech—and I can call it a maiden speech because it was made in Melbourne—is heavy on nostalgic anecdotes and 'remember when' moments, but I want to quickly touch on something. I want to pass on a moment from my days as a police rounds reporter—and there is a point to this—on the Sydney Sun, and that was more than 50 years ago. On the midnight-to-dawn shift, we had a big black car that looked like a cop car and we had an illegal police radio. The coppers knew we had one because if theirs broke down they would ask to listen to ours. At 2 am, the radio would crackle and a metallic voice would say, 'Ah, serious assault reported at Military Road, Mosman', and we would head there. Halfway there, the voice would say, 'Nah, forget it. It's just a domestic', and we would all turn for home—just a domestic; just a drunken Mr Kelly beating the daylights out of Mrs Kelly. The cops wouldn't get involved. We wouldn't get involved. The neighbours wouldn't get involved. Just a domestic, because Mr Kelly did that every Saturday night.

Things have changed—obviously not enough, but things have changed—thanks to people like Rosie Batty, who joined me on my Jail 2 Justice walk before she was named Australian of the Year. I promise I will do anything I can in this new position to help make domestic violence a major issue in this country, to fight against funding cuts to refuge centres—why not?—and to make government funding gender neutral, to use an awful expression, because men are victims of domestic violence too.

But things will not change, things will never change, they cannot change, until magistrates and judges start sentencing a man who breaks his wife’s jaw to as much time behind bars as a man who coward punches a total stranger, until judges get it through their blinkered brains that a wedding ring is not a mitigating circumstance. That is all part of the umbrella issue which made me include, as one of our major policies for the Justice Party, a call for a Senate inquiry into the Family Court and all child welfare agencies. That is why I hope I can work towards building the Australian child protection agency—ACPA—which will absorb all state
and territory child welfare agencies down the track. I know we are a commonwealth of states, but it is madness, it is Noddyland, when a father can break a little boy's arm in Sydney and change states and kill that child in Adelaide, because medical records in New South Wales were not available in South Australia. That is mad.

Back to the Family Court: there are women, and men, being deprived of justice in a system which has developed into a non-accountable, ultra-expensive, almost Lodge-like secret organisation minus the secret handshake. Mothers, and fathers, are being demonised and destroyed and bankrupted through it. They are being mauled in the Family Court and they are often dollarred to death, as they say.

The PRESIDENT: Senator Hinch, I hate to interrupt the freedom of speech you are enjoying. First speeches are normally 20 minutes. You have gone for 45 minutes, and I just want to remind you of the time and the courtesy that has been extended to you.

Senator HINCH: I am sorry. Can I read five more paragraphs?

The PRESIDENT: I am sure you can finish in five more paragraphs.

Senator HINCH: Thank you. I apologise. I will wrap it up. As I said, I may be the oldest person ever elected to the Senate, but I still have fire in my belly. I still have the passion, and maybe the power, to do something about things and I will give it my all. Let me just say to you here: I was once asked by a journalist, for one of those silly colour magazine feature pieces, 'What inscription would you want on your tombstone?' I thought and I said: 'Just two words: "He tried"'. That will do me when I leave this chamber, and I leave this world: 'He tried'. Or, as I would have said all those years ago on television: 'I'm Derryn Hinch. That's life. Goodnight.'

MATTERS OF PUBLIC IMPORTANCE

Marriage

Consideration resumed.

Senator CAROL BROWN (Tasmania) (17:50): I rise to speak on this matter of public importance—the failure of the Turnbull government to clearly outline its position on public funding of campaigns in the proposed plebiscite on marriage equality. We know that the Turnbull government is hopelessly split on this issue of marriage equality, on the plebiscite, and now on public funding for the plebiscite campaign. This split was aptly described by Phillip Coorey in today's Australian Financial Review as a 'brewing civil war'. As the Australian Financial Review story explains, the personal accusations are flying as to just what the Prime Minister has promised on funding for the plebiscite. Whether you see this as a civil war or an unholy stoush, it is obvious to everyone that the Turnbull government is hopelessly divided. With the right wing of the Liberal Party yet again flexing its muscle, reminding Mr Turnbull of the tenuous hold he has on his party leadership, Senator Abetz telegraphed his warnings to the Prime Minister on ABC Radio. Senator Abetz said:

I wanted to flag my concern up front straight away that this idea that somehow you can have a proper plebiscite without funding for the 'yes' and 'no' cases would not be the sort of plebiscite that was envisaged by the party room when we decided on it.

... ... ...

Ultimately the plebiscite was a party room decision and I trust that this will remain a party room decision.
And I trust that Cabinet will ensure that the views of the party room are determined and that the party
room is not steamrolled.

There are very conflicting accounts of just what was decided about public funding when it
was thrashed out at a six-hour coalition party room debate in August last year.

There are also conflicting views on just what Mr Turnbull told 20 of Australia's church
leaders when they sought $10 million to fund a 'no' campaign. Church leaders are adamant
that the Prime Minister offered to fund both sides of the campaign when they met him in
Sydney on 12 February this year. A spokesman for the Archbishop of Sydney, Glenn Davies,
said that the outcome of the meeting was 'unambiguous'. The spokesman went on to say:

It is the Archbishop's clear recollection that the Prime Minister, in words that were unambiguous, stated
that funding would be available to both sides on a similar basis to the republic referendum, though the
exact amount was not discussed.

The promise was later raised at a smaller meeting with [Attorney-General George] Brandis in March,
who then asked what funding was appropriate, to which the Archbishop replied: the same
amount as in 1999, CPI adjusted.

So that would be $10 million plus interest to fund the 'no' campaign. But just when you think
that there will be public funding, along comes Senator Brandis, who stresses that the
government wants to minimise the cost to taxpayers. But, while the Prime Minister's staff
check their notes to see what Mr Turnbull did promise to the church leaders, the debate
continues to fester.

It is taxpayers' money we are talking about here. It is time for Mr Turnbull to come clean
on his plans for the marriage equality plebiscite. He continues to deny a vote in parliament;
instead, clinging to the plebiscite that was foisted upon him by Mr Tony Abbott and his
supporters—a plebiscite that is going to cost taxpayers at least $160 million; a plebiscite that
now could see further tens of millions of dollars spent on a divisive campaign. If we cut to the
heart of what we are talking about: tens of millions of dollars of taxpayers' funds to be spent
to promote harmful arguments—arguments that will send a message to young gay, lesbian,
transgender, bisexual people that there is something wrong with them; arguments that will
send a message to kids growing up with same-sex parents that there is something wrong with
their family.

Mr Turnbull supports the plebiscite because he lacks any conviction. Yet again on the issue
of public funding for the campaigns, we see that he stands for nothing. He has become
beholden to the right wing of his own party, who are seeking to delay the march towards
equality. It is time to come clean and reveal the details of the secret meetings and backroom
deals—or, even better, to abandon plans for this divisive, harmful, costly and non-binding
plebiscite and allow a free vote in parliament.

The ACTING DEPUTY PRESIDENT (Senator Gallacher): Order! The time for the
discussion has expired. We shall now proceed to the consideration of documents.

**DOCUMENTS**

**Tasmanian Regional Forest Agreement**

**Consideration**

Senator McKIM (Tasmania) (17:56): I move:

That the Senate take note of the document.
I rise to take note of the Joint Australian and Tasmanian government response to the review of the implementation of the Tasmanian Regional Forest Agreement for the period 2007-2012. What a sham the regional forestry agreements are in this country. For many, many years—in fact, decades—in this country, we have had RFAs that have propped up environmentally and economically unsustainable industries, such as the native forest logging industry, particularly in my home state of Tasmania—and, of course, it is the Tasmanian RFA that we are discussing tonight.

I want to be very clear about something: RFAs are designed to enshrine resource security for the logging industry. They are designed to avoid responsibilities to look after threatened species. They are designed to avoid responsibilities to allow forests to continue to embed carbon in the fight against climate change. They are designed with no other intent than to enshrine an environmentally and economically unviable native forest logging industry in this country. They are sham documents. They are camouflage for an unviable native forest industry, which in fact in Tasmania is a mendicant, make-work scheme that every year sucks tens of millions of dollars out of schools, hospitals and other essential public services in my state. They are camouflage for an environmentally destructive industry.

The view in this RFA response document from the Liberal governments here in Canberra and down in Hobart is basically, 'Everything is fine; nothing to see here.' It is like a Flat Earth Society document put out after Vasco da Gama circumnavigated the planet. That is how ridiculous it is and that is how little resemblance to reality it bears. We have now seen a rolling series of Tasmanian regional forest agreements that have failed our threatened species. They have failed all of the ecosystems services that our beautiful, magnificent, globally significant forests provide in Tasmania; they have failed the massive amounts of carbon that are released every year after our unique forests are clear-felled and torched and most of the carbon in them and their soils released into the atmosphere; they have failed the Astacopsis gouldi—the giant freshwater crayfish that is endemic to Tasmania and, in fact, endemic to just a small number of river systems on the north coast and the north part of Tasmania; and they have failed the Swift parrot, that beautiful little bird that continues its slide towards extinction thanks in large part to the native forest logging industry in my home state of Tasmania.

I have fought native forest logging since I was arrested at Farmhouse Creek in the mid 1980s. I have fought it through my parliamentary career. I will continue to fight until we end the industrial strip mining of our forests that are protected and delivered through regional forest agreements; until we see our beautiful globally significant forests—much of which are quite rightly reserved on behalf of all of humanity inside our Tasmanian Wilderness World Heritage Area—and the forests that need to be protected actually protected in formal reserves and inside the World Heritage Area; until we end this mendicant, make-work industry that is the native forest logging industry in Tasmania; and until we protect the carbon that is embedded in those forests so that, in Tasmania, we can move on to the 21st-century industries and away from an over-reliance on the dig-it-up, chop-it-down mentality of the last century.

Senator IAN MACDONALD (Queensland) (18:01): Thank you, Mr Acting Deputy President—

Senator McKim: On a point of order, Mr Acting Deputy President. I thought you gave the call to Senator Rice.
The ACTING DEPUTY PRESIDENT (Senator Gallacher): Senator Macdonald, you have the call.

Senator IAN MACDONALD: I would not have minded if Senator Rice went next, as long as I would get my opportunity to proudly say that I was the minister that actually introduced the regional forest agreements and guided them through this parliament in a debate that, I think, went for some 35 hours by the time your former leader tried the effluxion of time as a way to get across the point that he, and not many others, agreed with.

The Tasmanian forest used to be a wonderful source of timber to Australia and the world. It used to mean that imports of timber to Australia from forests that were nowhere near as well managed as Australia's forests were lessened. And it meant that there was an industry, and that there were jobs created, in Tasmania. As a result of the work of Senator McKim and his allies in the state parliament and by some of the Greens and Democrats in this chamber over the years, I have to say to Senator McKim, somewhat reluctantly almost: congratulations. You and your lot have succeeded in, really, all but shutting down the Australian forestry industry—an industry that meant so much for Australia and that was sustainably managed.

I still remember when then Senator Richardson, on behalf of the Labor Party, shut down the forests in North Queensland. He went to the little town of Ravenswood to address about 1,000 angry people. The town was only about 200 or 300 people; there were 1,000 there to greet Senator Richardson. They had a sign across the street—I still remember it to this day—that said: 'Senator Richardson, you are wanting to save this pristine forest? It has been logged for 100 years.' That is the stupidity of the Greens and those who would do away with the sustainable forestry industry in Australia. Selective and careful management of our forests did provide for sustainability and for an industry. It provided some wealth for Tasmania, in particular.

I often ask people like Senator McKim: how many trees have been destroyed in the Tasmanian forest from wildfires that have burned out of control? That used not to happen in the days when there were forestry tracks through the Tasmanian forest and when there was a workforce on hand to get to the source of an outbreak of fire so to control that fire. But thanks to Senator McKim and to his lot, those tracks through the forest no longer exist. That skilled workforce which could get straight to the source of the fire and put it out has gone. As a result, there are hundreds of thousands of hectares of burnt forest in Tasmania—and in Victoria. That does far more damage to the forests than selective, careful management of the forests ever did.

The regional forest agreements, the subject of this debate, were a good attempt at that time—back in the early parts of this century—to try and regulate and to ensure that, forever, there would be a sustainable forestry industry in Tasmania. Regrettably, over the years—and when I left the job as the minister for forestry—the Greens and the Labor Party had their way. The forestry industry in Tasmania now is but a shadow of what it was and what it should have been. The regional forest agreements were a good attempt. The response by the government highlights some of the successes of the regional forest agreements, but, lamentably, the whole forest industry in Australia is now at a stage where it is a very tiny industry—a fraction of what it should be. As a result, of course, we import timber from forests around the world that are slashed and burned, and that are not sustainably managed at all. To the Greens, that seems to be okay.
The regional forest agreements were a good idea. They worked for a while. Regrettably, they did not achieve their ultimate goal.

Senator RICE (Victoria) (18:06): I also rise to speak to the motion that the Senate take note of the Australian and Tasmanian Government Response to the Review of the Implementation of the Tasmanian Regional Forest Agreement for the Period 2007-2012. We have had regional forest agreements for almost 20 years. The very first of them, the East Gippsland Regional Forest Agreement, is due to expire in February next year. This Tasmanian one is due to expire soon after, later next year.

It is clear that regional forest agreements have failed to do what they aimed to do, which was to implement what we were told would be ecologically sustainable management and to maintain jobs in the industry. The reviews that have been done of regional forest agreements over the years have laid this bare. They have laid out clearly for all to see that regional forest agreements have not fulfilled their purposes. In particular, I read the independent reviewer's report on the Tasmanian Regional Forest Agreement's last five years. Although his recommendations were lily-livered, weak and weasel worded, you only had to read between the lines to see where those failures were. In particular, it went to the heart of whether it was possible to have intensive industrial scale clear-fell logging of our precious native forests and call it ecologically sustainable forest management. It was very clear that this independent reviewer was saying that even after almost 20 years we still do not have the monitoring in place and we still do not know what the impacts, overall, on forest species are going to be. In fact, he went further than that. He said not only do we still not know what the impacts of the logging industry are on threatened species and our precious natural forests but that the monitoring regime is actually likely to get worse over the coming years. This is the reality of what the current logging industry is doing to our forests.

We had what was clearly a politically correct report from the reviewer. It said let us improve some things and get the monitoring right. For example, one of his recommendations was that the state builds on its existing monitoring framework to develop a long-term forest condition monitoring system across all forest tenures to assess changes in ecosystem health and vitality—'to develop', mind you! We have had 20 years of the attacks on our forest and 20 years of threatened species becoming more and more threatened, and yet only now are we saying, 'Let's develop a monitoring system so we can really see what the impact of that logging is going to be.' We know what the impact of the current logging processes is. We can see what is happening to threatened species, with swift parrots going from threatened to endangered to critically endangered and with the giant Tasmanian crayfish on the verge of becoming endangered as well. Yet the government's response to this—to finally, after 20 years, put in place a long-term monitoring system to see what is happening—is the state agrees to consider implementing a statewide forest monitoring information system!

The regional forest agreements are not going to protect our forests. They are not going to protect our wonderful forest wildlife. If we have the continuation of the regional forest agreements, we are going to see animals like swift parrots in Tasmania going extinct. We are going to see animals like Leadbeater's possums in Victoria—which has gone from being threatened to endangered to critically endangered—go extinct. This is the reality of industrial scale intensive damaging logging in our forests. It is very clear that we need to say that the regional forest agreements are now something of the past. Let us put them away. That is how
we used to do wood production in the past. We need to move on to producing wood in a way which is consistent with sustainability of our forests, and that is to use plantations to get the bulk of our forest products.

Senator Macdonald claims that the timber industry has shrunk compared to what it used to be, but the reality is there has been a shift and we now have 85 per cent of the wood products that come out of Australia coming from plantations. We know that to protect our forests and to protect jobs, we have to make that 100 per cent. We can do that. We can have a thriving wood products industry in Australia but not one which is based on native forests. We can protect our forests, protect jobs and produce wood. To do that is just a matter of moving forward into the ways of the future rather than the ways of the past.

Debate adjourned.

Register of Foreign Ownership of Agricultural Land

Consideration

Senator IAN MACDONALD (Queensland) (18:12): I move:
That the Senate take note of the document.

I urge all senators and members of parliament, and indeed the Australian public as a whole, to have a look at the Register of Foreign Ownership of Agricultural Land Act 2015—Report for 2015-16, because it does put to bed some myths that have been circulating around this country for a long period of time. I should perhaps say at the beginning of my contribution that it depends on what you class as foreign ownership—I guess Indigenous people would say that a fair percentage of Australian land is foreign owned. But of course the definitions contained in this report are the ones that I think are appropriate and bear looking at.

I congratulate the Minister for Agriculture and Water Resources, Minister Joyce, who initiated this survey, because in my view there were, quite frankly, a lot of furphies going around about who owned land in Australia and how much of it was foreign owned. This report does, I repeat, bear close inspection by all Australians interested in this topic. It should be put on Facebook, because the Facebook commentators are often very strong contributors on this debate—often without the full facts before them. It is probably instructive to look at table No. 5 to see which countries are the biggest foreign owners of Australian agricultural land. The United Kingdom is the biggest—that is no surprise to me and it never has been. In fact, I often say to the sugar industry, where people are complaining about Chinese or Malaysian interests owning the sugar mills, that, quite frankly, the sugar mills in the north have usually been owned by foreign interests, mainly Scottish and English, and then American and others. But it is interesting that the United Kingdom is far and away the biggest holder of land as a foreign country, followed by the United States. China, which gets a lot of bad publicity for holding land in Australia, is quite a small player.

I say to the Senate by way of disclosure of interest that I have not received any money from the Chinese government. I have received no personal moneys, and I certainly have not received any donations from any Chinese company for election campaigning. Most importantly, I have not received moneys from any Chinese company for my own personal benefit—I want to make that clear. But this table shows that China is quite a small player when it comes to ownership of land in Australia.
I have never objected to foreign ownership of Australian land. I always make the point that these foreign countries cannot take the land back to their country once they have bought it, and when they buy land in Australia they abide by Australian laws—town planning laws, zoning laws and workplace relations laws. So I always welcome the investment of foreign capital in Australia. I often look back to Cairns, in Far North Queensland, in the early nineties when the Japanese made very significant investments. Since that time most of them have sold out at, I suspect, a capital loss. But they did build things in Far North Queensland in those days, and it was because of foreign capital that Cairns became the mecca of tropical tourism that it has been over the last couple of decades.

This is a good report. I congratulate the government for commissioning it and for publicising it, and I urge all people who have an interest in this subject to have a close look at the figures to understand fully just what foreign ownership of Australian land actually involves. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

The following documents were considered—

Auditor-General—Audit report no. 10 of 2016-7—Performance audit—Award of funding under the Mobile Black Spot Programme: Department of Communications and the Arts. Motion to take note of document moved by Senator Bilyk. Debate adjourned till the next day of sitting, Senator Bilyk in continuation.

Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 33—The response of The Salvation Army (Southern Territory) to allegations of child sexual abuse at children’s homes that it operated. Motion to take note of document moved by Senator Urquhart. Debate adjourned till Thursday at general business, Senator Urquhart in continuation.

PETITIONS

Live Animal Exports

Senator RHIANNON (New South Wales) (18:19): by leave—I present to the Senate a petition relating to live animal exports from the port of Townsville, from 2,676 citizens, which is not in conformity with standing orders.

MINISTERIAL STATEMENTS

Economy

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:19): On behalf of the Prime Minister, Mr Turnbull, I table a ministerial statement on economic security and stability.

DOCUMENTS

Perth Freight Link

Order for the Production of Documents

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:19): I table a document relating to the order for the production of documents concerning the Perth freight link.
COMMITTEES
Appointment

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:19): Messages have been received from the House of Representatives transmitting for concurrence resolutions relating to the formation of joint committees, as listed at item 18 on today’s Order of Business.

The House of Representatives messages read as follows—
Message no. 2, dated 1 September 2016—Parliamentary Joint Committee on Corporations and Financial Services
Message no. 3, dated 1 September 2016—Joint Standing Committee on Electoral Matters
Message no. 4, dated 1 September 2016—Joint Standing Committee on Foreign Affairs, Defence and Trade
Message no. 5, dated 1 September 2016—Parliamentary Joint Committee on Human Rights No. 4—12 September 2016 135
Message no. 6, dated 1 September 2016—Parliamentary Joint Committee on Law Enforcement
Message no. 7, dated 1 September 2016—Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity
Message no. 8, dated 1 September 2016—Joint Standing Committee on the Parliamentary Library
Message no. 9, dated 1 September 2016—Joint Standing Committee on the National Capital and External Territories
Message no. 10, dated 1 September 2016—Joint Standing Committee on Migration
Message no. 11, dated 1 September 2016—Joint Standing Committee on the National Disability Insurance Scheme
Message no. 12, dated 1 September 2016—Joint Standing Committee on Northern Australia
Message no. 13, dated 1 September 2016—Joint Standing Committee on Trade and Investment Growth,
and transmitting for the concurrence of the Senate the following resolutions:

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

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

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

(c) the committee elect a:

(i) Government member as its chair; and

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

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

(f) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(g) the committee:
   (i) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and
   (ii) appoint the chair of each subcommittee who shall have a casting vote only;

(h) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(i) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(k) the committee or any subcommittee have power to:
   (i) call for witnesses to attend and for documents to be produced;
   (ii) conduct proceedings at any place it sees fit;
   (iii) sit in public or in private;
   (iv) report from time to time; and
   (v) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

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

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

Joint Standing Committee on Electoral Matters

That:

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

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

(a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
(b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that department or authority is presented to the House;

(3) the committee consist of 10 members, three Members of the House of Representatives to be nominated by the Government Whip or Whips, two Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any minority group or independent Member, two Senators to be nominated by the Leader of the Government in the Senate, two Senators to be nominated by the Leader of the Opposition in the Senate and one Senator to be nominated by any minority group or independent Senator;

(3A) for the purposes of the inquiry into the 2016 election only, participating members may be appointed to the committee on the nomination in the House of Representatives, of the Government or Opposition Whips or any minority group or independent Member, and, in the Senate, of the Leader of the Government or Opposition, or any minority group or independent Senator, and such participating member:

(a) shall be taken to be a member of the committee for the purposes of forming a quorum; and
(b) may participate in hearings of evidence and deliberations of the committee and have all rights of a committee member except that a participating member may not vote on any question before the committee;

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

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

(6) the committee elect a:

(a) Government member as its chair; and
(b) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(9) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:

(a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and
(b) appoint the chair of each subcommittee who shall have a casting vote only;

(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;
(13) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;

(14) the committee or any subcommittee have power to:
(a) call for witnesses to attend and for documents to be produced;
(b) conduct proceedings at any place it sees fit;
(c) sit in public or in private;
(d) report from time to time; and
(e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(15) the committee or any subcommittee have power to consider and make use of:
(a) submissions lodged with the Clerk of the Senate in response to public advertisements placed in accordance with the resolution of the Senate of 26 November 1981 relating to a proposed Joint Select Committee on the Electoral System; and
(b) the evidence and records of the Joint Committees on Electoral Reform and Electoral Matters appointed during previous Parliaments;

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

Joint Standing Committee on Foreign Affairs, Defence and Trade

That:

(1) a Joint Standing Committee on Foreign Affairs, Defence and Trade be appointed to inquire into and report on such matters relating to foreign affairs, defence and trade as may be referred to it by either House of the Parliament or a Minister;

(2) annual reports of government departments and authorities and reports of the Auditor-General presented to the House shall stand referred to the committee for any inquiry the committee may wish to make and reports shall stand referred to the committee in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee, provided that:
(a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
(b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that department or authority is presented to the House;

(3) the committee consist of 32 members, 12 Members of the House of Representatives to be nominated by the Government Whip or Whips, 8 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any minority group or independent Member, 5 Senators to be nominated by the Leader of the Government in the Senate, 5 Senators to be nominated by the Leader of the Opposition in the Senate and 2 Senators to be nominated by any minority group or independent Senator;

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

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

(6) the committee elect a:
(a) Government member as its chair; and
(b) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(9) six members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:
   (a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine;
   (b) appoint the chair of each subcommittee who shall have a casting vote only; and
   (c) appoint the deputy chair of each subcommittee who shall act as chair of the subcommittee at any time when the chair is not present at a meeting of the subcommittee and who shall have a casting vote only;

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

(12) at any time when the chair and deputy chair of a subcommittee are not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(13) two members of a subcommittee constitute the quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(15) the committee or any subcommittee have power to:
   (a) call for witnesses to attend and for documents to be produced;
   (b) conduct proceedings at any place it sees fit;
   (c) sit in public or in private;
   (d) report from time to time;
   (e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives; and
   (f) conduct meetings for the purpose of private briefings at any time;

(16) the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Foreign Affairs and Defence, and Foreign Affairs, Defence and Trade, appointed during previous Parliaments; and

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

Parliamentary Joint Committee on Human Rights

That, in accordance with section 6 of the Human Rights (Parliamentary Scrutiny) Act 2011, matters relating to the powers and proceedings of the Parliamentary Joint Committee on Human Rights shall be as follows:
(a) the committee consist of 10 members, 3 Members of the House of Representatives to be nominated by the Government Whip, 2 Members of the House of Representatives to be nominated by the Opposition Whip or by any minority group or independent Member, 2 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 1 Senator to be nominated by any minority group or independent Senator;

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

(c) the committee elect a:
   (i) Government member as its chair; and
   (ii) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(d) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(f) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(g) the committee:
   (i) have power to appoint subcommittees consisting of three or more of its members, and to refer to any subcommittee any matter which the committee is empowered to examine; and
   (ii) appoint the chair of each subcommittee who shall have a casting vote only;

(h) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(i) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(k) the committee or any subcommittee have power to:
   (i) call for witnesses to attend and for documents to be produced;
   (ii) conduct proceedings at any place it sees fit;
   (iii) sit in public or in private;
   (iv) report from time to time; and
   (v) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(l) the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Human Rights appointed during the previous Parliaments;

(m) the committee may appoint counsel to advise the committee with the approval of the President of the Senate and the Speaker of the House of Representatives; and

(n) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
Parliamentary Joint Committee on Law Enforcement

That in accordance with section 5 of the Parliamentary Joint Committee on Law Enforcement Act 2010, matters relating to the powers and proceedings of the Parliamentary Joint Committee on Law Enforcement shall be as follows:

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

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

(c) the committee elect a:

(i) Government member as its chair; and

(ii) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(d) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(f) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(g) the committee:

(i) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and

(ii) appoint the chair of each subcommittee who shall have a casting vote only;

(h) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(i) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(k) the committee or any subcommittee have power to:

(i) call for witnesses to attend and for documents to be produced;

(ii) conduct proceedings in any place it sees fit;

(iii) sit in public or in private;

(iv) report from time to time; and

(v) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;
(l) the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on the National Crime Authority, the Australian Crime Commission and Law Enforcement appointed during previous Parliaments;

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

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

Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

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

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

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

(c) the committee elect a:

(i) Government member as its chair; and

(ii) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(d) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(f) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(g) the committee:

(i) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and

(ii) appoint the chair of each subcommittee who shall have a casting vote only;

(h) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(i) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(k) the committee or any subcommittee have power to:
(i) call for witnesses to attend and for documents to be produced;
(ii) conduct proceedings at any place it sees fit;
(iii) sit in public or in private;
(iv) report from time to time; and
(v) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

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

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

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

Joint Standing Committee on the Parliamentary Library

That:

(1) a Joint Standing Committee on the Parliamentary Library be appointed to:

(a) consider and report to the President of the Senate and the Speaker of the House of Representatives on any matters relating to the Parliamentary Library referred to it by the President or the Speaker;

(b) provide advice to the President and the Speaker on matters relating to the Parliamentary Library;

(c) provide advice to the President and the Speaker on an annual resource agreement between the Parliamentary Librarian and the Secretary of the Department of Parliamentary Services; and

(d) receive advice and reports, including an annual report, directly from the Parliamentary Librarian on matters relating to the Parliamentary Library;

(2) the Committee consist of 13 members, 4 Members of the House of Representatives nominated by the Government Whip or Whips, 3 Members of the House of Representatives nominated by the Opposition Whip or Whips or by any minority group or independent Member, 3 Senators nominated by the Leader of the Government in the Senate, 2 Senators nominated by the Leader of the Opposition in the Senate and 1 Senator nominated by any minority group or independent Senator;

(3) every nomination:

(a) of a member of the committee shall be notified in writing to the President of the Senate and the Speaker of the House of Representatives; and

(b) from a minority group in the Senate or an independent Senator shall be determined by agreement between them, and, in the absence of agreement duly notified to the President, any question of the representation on the committee shall be determined by the Senate;

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

(5) the committee elect two of its members to be joint chairs, one being a Senator or Member, on an alternating basis each Parliament, who is a member of the government parties and one being a Senator or Member, on an alternating basis each Parliament, who is a member of the non-government parties, provided that the joint chairs may not be members of the same House;
(6) the joint chair nominated by the government parties shall chair meetings of the committee, and the joint chair nominated by the non-government parties shall take the chair whenever the other joint chair is not present;

(7) each of the joint chairs shall have a deliberative vote only, regardless of who is chairing the meeting;

(8) when votes on a question before the committee are equally divided, the question shall be resolved in the negative;

(9) three members of the committee shall constitute a quorum of the committee, but in a deliberative meeting a quorum shall include one member of each House of the government parties and one member of either House of the non-government parties;

(10) the committee:
   (a) have power to appoint subcommittees, consisting of three or more of its members, and to refer to any subcommittee any matter which the committee is empowered to consider; and
   (b) appoint the chair of each subcommittee, who shall have a deliberative vote only;

(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) two members of a subcommittee constitute a quorum of that subcommittee;

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

(14) the committee or any subcommittee have power to:
   (a) sit in public or private;
   (b) report from time to time; and
   (c) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(15) the President and the Speaker may attend any meeting of the committee or a subcommittee as they see fit, but shall not be members of the committee or subcommittee and may not vote, move any motion or be counted for the purpose of a quorum;

(16) the committee or any subcommittee have power to consider and make use of the evidence and records of the former Joint Committees on the Parliamentary Library appointed during previous Parliaments; and

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

**Joint Standing Committee on the National Capital and External Territories**

That:

(1) a Joint Standing Committee on the National Capital and External Territories be appointed to inquire into and report on:

   (a) matters coming within the terms of section 5 of the *Parliament Act 1974* as may be referred to it by:
      (i) either House of the Parliament; or
      (ii) the Minister responsible for administering the *Parliament Act 1974*; or
      (iii) the President of the Senate and the Speaker of the House of Representatives;
(b) such other matters relating to the parliamentary zone as may be referred to it by the President of the Senate and the Speaker of the House of Representatives;

(c) such amendments to the National Capital Plan as are referred to it by a Minister responsible for administering the *Australian Capital Territory (Planning and Land Management) Act 1988*;

(d) such other matters relating to the National Capital as may be referred to it by:
   (i) either House of the Parliament; or
   (ii) the Minister responsible for administering the *Australian Capital Territory (Self-Government) Act 1988*; and

(e) such matters relating to Australia’s territories as may be referred to it by:
   (i) either House of the Parliament; or
   (ii) the Minister responsible for the administration of the Territory of Cocos (Keeling) Islands; the Territory of Christmas Island; the Coral Sea Islands Territory; the Territory of Ashmore and Cartier Islands; the Australian Antarctic Territory, and the Territory of Heard Island and McDonald Islands, and of Commonwealth responsibilities on Norfolk Island;

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

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

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

(3) the committee consist of 12 members, the Deputy Speaker, three Members of the House of Representatives to be nominated by the Government Whip or Whips, two Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any minority group or independent Member, the Deputy President and Chairman of Committees, two Senators to be nominated by the Leader of the Government in the Senate, two Senators to be nominated by the Leader of the Opposition in the Senate and one Senator to be nominated by any minority group or independent Senator;

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

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

(6) the committee elect:
   (a) a Government member as its chair; and
   (b) a non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(9) three members of the committee (of whom one is the Deputy President or the Deputy Speaker when matters affecting the parliamentary zone are under consideration) constitute a quorum of the
committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:

(a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and

(b) appoint the chair of each subcommittee who shall have a casting vote only;

(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(14) the committee or any subcommittee have power to:

(a) call for witnesses to attend and for documents to be produced;

(b) conduct proceedings at any place it sees fit;

(c) sit in public or in private;

(d) report from time to time; and

(e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(15) the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Standing Committees on the National Capital and External Territories, the Joint Committees on the Australian Capital Territory, the Joint Standing Committees on the New Parliament House, the Joint Standing Committee on the Parliamentary Zone and the Joint Committee on the National Capital appointed during previous Parliaments and of the House of Representatives and Senate Standing Committees on Transport, Communications and Infrastructure when sitting as a joint committee on matters relating to the Australian Capital Territory; and

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

**Joint Standing Committee on Migration**

That:

(1) a Joint Standing Committee on Migration be appointed to inquire into and report on:

(a) regulations made or proposed to be made under the *Migration Act 1958*;

(b) proposed changes to the *Migration Act 1958* and any related acts; and

(c) such other matters relating to migration as may be referred to it by the Minister responsible for the administration of the *Migration Act 1958*, another Minister or either House of the Parliament;

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

(a) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker; and
(b) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that department or authority is presented to the House;

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

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

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

(6) the committee elect a:
   (a) Government member as its chair; and
   (b) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(9) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:
   (a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and
   (b) appoint the chair of each subcommittee who shall have a casting vote only;

(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

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

(14) the committee or any subcommittee have power to:
   (a) call for witnesses to attend and for documents to be produced;
   (b) conduct proceedings at any place it sees fit;
   (c) sit in public or in private;
   (d) report from time to time; and
   (e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;
(15) the committee or any subcommittee have power to consider and make use of the evidence and records of the Joint Committees on Migration Regulations and the Joint Standing Committees on Migration appointed during previous Parliaments; and

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

**Joint Standing Committee on the National Disability Insurance Scheme**

That:

(1) a Joint Standing Committee on the National Disability Insurance Scheme be appointed to inquire into and report on:

(a) the implementation, performance and governance of the National Disability Insurance Scheme;
(b) the administration and expenditure of the National Disability Insurance Scheme; and
(c) such other matters in relation to the National Disability Insurance Scheme as may be referred to it by either House of the Parliament;

(2) as soon as practicable after 30 June each year, the committee present an annual report to the Parliament on the activities of the committee during the year, in addition to reporting on any other matters it considers relevant;

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

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

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

(6) the committee elect a:

(a) Government member as its chair; and
(b) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

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

(9) three members of the committee constitute a quorum of the committee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:

(a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and
(b) appoint the chair of each subcommittee who shall have a casting vote only;

(11) each subcommittee shall have at least one Government member of either House and one non-Government member of either House;
(12) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(13) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall comprise one Government member of either House and one non-Government member of either House;

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

(15) the committee or any subcommittee have power to:
(a) call for witnesses to attend and for documents to be produced;
(b) conduct proceedings at any place it sees fit;
(c) sit in public or in private;
(d) report from time to time; and
(e) adjourn from time to time and sit during any adjournment of the House of Representatives and the Senate;

(16) the committee or any subcommittee have power to consider and make use of the evidence and records of the former Joint Standing Committee on the National Disability Insurance Scheme, and the former Joint Select Committee on DisabilityCare Australia appointed during previous parliaments; and

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

**Joint Standing Committee on Northern Australia**

That:

(1) a Joint Standing Committee on Northern Australia be appointed to inquire into and report on such matters relating to the development of Northern Australia as may be referred to it by either House of the Parliament or a Minister;

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

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

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

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

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

(5) the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time;
(6) the committee elect a:
   (a) Government member as its chair; and
   (b) non-Government member as its deputy chair who shall act as chair of the committee at any
time when the chair is not present at a meeting of the committee;
(7) at any time when the chair and deputy chair are not present at a meeting of the committee the
members shall elect another member to act as chair at that meeting;
(8) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, shall
have a casting vote;
(9) three members of the committee constitute a quorum of the committee provided that in a
deliberative meeting the quorum shall include one Government member of either House and one non-
Government member of either House;
(10) the committee:
   (a) have power to appoint subcommittees consisting of three or more of its members and to refer
to any subcommittee any matter which the committee is empowered to examine; and
   (b) appoint the chair of each subcommittee who shall have a casting vote only;
(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee,
of the committee constitute a quorum of the committee provided that in a deliberative meeting the
quorum shall include one Government member of either House and one non-Government member of
either House;
(10) the committee:
   (a) have power to appoint subcommittees consisting of three or more of its members and to refer
to any subcommittee any matter which the committee is empowered to examine; and
   (b) appoint the chair of each subcommittee who shall have a casting vote only;
(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee,
the members of the subcommittee present shall elect another member of that subcommittee to act as
chair at that meeting;
(12) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a
deliberative meeting the quorum shall include one Government member of either House and one non-
Government member of either House;
(13) members of the committee who are not members of a subcommittee may participate in the
proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of
a quorum;
(14) the committee or any subcommittee have power to:
   (a) call for witnesses to attend and for documents to be produced;
   (b) conduct proceedings at any place it sees fit;
   (c) sit in public or in private;
   (d) report from time to time; and
   (e) adjourn from time to time and to sit during any adjournment of the Senate and the House of
Representatives;
(15) the committee or any subcommittee has power to consider and make use of the evidence and
records of the Joint Select Committee on Northern Australia appointed during the previous Parliament;
and
(16) the provisions of this resolution, so far as they are inconsistent with the standing orders, have
effect notwithstanding anything contained in the standing orders.
Joint Standing Committee on Trade and Investment Growth

That:

(1) a Joint Standing Committee on Trade and Investment Growth be appointed to inquire into and report on such matters relating to measures to further boost Australia's trade and investment performance as may be referred to it by either House of the Parliament or a Minister;

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

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

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

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

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

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

(6) the committee elect a:

(a) Government member as its chair; and

(b) non-Government member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(7) at any time when the chair and deputy chair are not present at a meeting of the committee the members shall elect another member to act as chair at that meeting;

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

(9) three members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(10) the committee:

(a) have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine; and

(b) appoint the chair of each subcommittee who shall have a casting vote only;

(11) at any time when the chair of a subcommittee is not present at a meeting of the subcommittee, the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting;

(12) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;
(13) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum;

(14) the committee or any subcommittee have power to:
(a) call for witnesses to attend and for documents to be produced;
(b) conduct proceedings at any place it sees fit;
(c) sit in public or in private;
(d) report from time to time; and
(e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(15) the committee or any subcommittee has power to consider and make use of the evidence and records of the Joint Select Committee on Trade and Investment Growth appointed during the previous Parliament; and

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

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:20): by leave—I move:

That the Senate concurs with the resolutions of the House of Representatives contained in messages nos 2 to 13 relating to the appointment of joint committees.

Question agreed to.

Joint Standing Committee on Treaties

Membership

Message received from the House of Representatives notifying the Senate of the appointment of members to the Joint Standing Committee on Treaties.

Joint Standing Committee on Electoral Matters

Membership

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:20): The President has received letters requesting changes in the membership of committees. I draw the Senate's attention to there being two nominations for the one position on the Joint Standing Committee on Electoral Matters, and in accordance with standing orders a ballot will need to be held to determine which of the two senators who have been nominated is to be appointed. I understand that it is the wish of the Senate that the ballot be held on Tuesday, 13 September 2016 immediately prior to government business being called on.

COMMITTEES

Membership

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:21): by leave—I move:

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

Community Affairs Legislation and References Committees—
Appointed—Participating members: Senators Culleton, Hanson and Roberts

Economics Legislation and References Committees—
Discharged—
Senator Bernardi
Participating member: Senator Macdonald
Appointed—
Senator Macdonald
Participating members: Senators Burston and Culleton

Education and Employment Legislation and References Committees—
Appointed—Participating members: Senators Culleton, Hanson and Roberts

Environment and Communications Legislation and References Committees—
Discharged—
Senator Paterson
Participating member: Senator Bushby
Appointed—
Senator Bushby
Participating members: Senators Burston and Culleton

Finance and Public Administration Legislation and References Committees—
Discharged—
Senator Bernardi
Participating member: Senator Paterson
Appointed—
Senator Paterson
Participating members: Senators Burston, Culleton and Hanson

Foreign Affairs, Defence and Trade—Joint Standing Committee—
Appointed—Senators Ludlam and Xenophon

Foreign Affairs, Defence and Trade Legislation and References Committees—
Appointed—Participating members: Senators Burston, Culleton and Roberts

House—Standing Committee—
Appointed—Senators Bushby and Fawcett

Human Rights—Joint Statutory Committee—
Appointed—Senator McKim

Legal and Constitutional Affairs Legislation and References Committees—
Appointed—Participating members: Senators Culleton and Roberts

Migration—Joint Standing Committee—
Appointed—Senator McKim

National Capital and External Territories—Joint Standing Committee—
Appointed—Senator Rhiannon

National Disability Insurance Scheme—Joint Standing Committee—
Appointed—Senator Siewert

Northern Australia—Joint Standing Committee—
Appointed—Senator Waters

Public Accounts and Audit—Joint Statutory Committee—
Appointed—Senators Duniam, McKenzie and Smith

Public Works—Joint Statutory Committee—
Appointed—Senators Smith and Williams

Publications—Standing Committee—
Appointed—Senators Back, Duniam, Hume and Reynolds

Rural and Regional Affairs and Transport Legislation and References Committees—
Appointed—Participating members: Senators Burston and Roberts

Scrutiny of Bills—Standing Committee—
Discharged—Senator Bernardi
Appointed—Senator Hume

Senators’ Interests—Standing Committee—
Discharged—Senator Bernardi
Appointed—Senator Abetz.
Question agreed to.

BILLS

Registration of Deaths Abroad Amendment Bill 2016
First Reading

Bill received from the House of Representatives.

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:22): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Senator RUSTON: by leave—I move:
That the provisions of paragraph (6) of standing order 111 not apply to this bill.

I table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

Purpose of the Bill
The Bill amends the Registration of Deaths Abroad Act 1984 (RDA Act). The purpose of the amendments is to allow the RDA Act to function as originally intended, establishing a Registrar of Deaths Abroad with the capacity to register deaths in particular circumstances, namely overseas deaths. The Bill provides the Foreign Minister with broader authority to appoint any State or Territory registrar as the Registrar of Deaths Abroad. Each State and Territory has been consulted on these changes.

Reasons for Urgency
It is desirable the Bill be passed in the 2016 Spring sittings since currently the RDA Act requires the Registrar of Deaths Abroad to be engaged under the Public Service Act 1999. The ACT Registrar has traditionally served as the Registrar of Deaths abroad but is no longer appointed under the Public Service Act 1999 and therefore has no authority to continue to perform this role. As a result, some deaths are currently not being registered in a timely manner.

Question agreed to.

Second Reading

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:23): 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—

REGISTRATION OF DEATHS ABROAD AMENDMENT BILL 2016

This bill amends the Registration of Deaths Abroad Act 1984.

The primary purpose of this bill is to correct an anomaly in the Registration of Deaths Abroad Act 1984. The correction will allow the 'Registrar of Deaths Abroad' to register deaths in prescribed circumstances.

Under current arrangements, applicants can remain in a procedural 'limbo' as they negotiate with State or Territory registrars to register an overseas death. By permitting the appointment of a federal Registrar of Deaths Abroad, this bill will simplify the registration of deaths abroad.

The bill will provide the Foreign Minister with the flexibility to appoint any State or Territory registrar as the Registrar of Deaths Abroad.

The bill will also validate the prior appointment of the ACT Registrar-General as the Registrar of Deaths Abroad and any previous registrations of deaths under the Act.

The amendments will allow the Registrar of Deaths Abroad to register deaths that could have been registered under the law of a State or Territory, where the State or Territory concerned has provided notice that it will not register a death.

In order to ensure that only the Registrar of Deaths Abroad can register deaths under the Act, the bill removes any references to 'registering officers' from the Act.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (18:23): The opposition supports the passage of the Registration of Deaths Abroad Amendment Bill 2016, which makes a number of amendments to the Registration of Deaths Abroad Act 1984. The act provides that the Minister for Foreign Affairs shall appoint a Registrar of Deaths Abroad. This registrar is responsible for the registration of deaths of Australian citizens, residents and other prescribed persons who die abroad, on board Australian aircraft or ships, or in other prescribed circumstances.

The opposition recognises the importance of the registration of deaths abroad regime. We all know that the death of a loved one is a sad and distressing event in anyone's life. Death certificates are important documents for a range of legal and administrative requirements which must be attended to following the loss of a loved one. When an Australian dies overseas, the stresses and difficulties for family members can be magnified, which is why it is important that existing state and territory regimes for the registration of deaths are
supplemented by the Commonwealth Registration of Deaths Abroad Act. On occasions when a death occurs abroad, there can sometimes be problems in registering the death under the normal state or territory arrangements. The act before the chamber or the substantive legislation ensures alternative arrangements are available where such problems exist.

The bill before the chamber has one primary purpose, which is to correct an anomaly which has arisen under the act. The amendments will validate the earlier appointment of the ACT Registrar-General as the Registrar of Deaths Abroad and validate any registrations made under the existing act. In addition, the bill makes a number of other amendments to simplify and clarify the processes and requirements for registering deaths abroad.

The opposition notes that the explanatory memorandum to the bill states that it has no financial implications for the Commonwealth or for the community. As I noted at the outset, the opposition is pleased to support this bill. This bill was introduced to the last parliament in March of this year. It was a bill which lapsed in May when the Prime Minister decided to go to an early election and dissolved both houses of parliament, so it was one of a number of pieces of legislation which were not passed when the Prime Minister chose to go to an early election by way of double dissolution.

The opposition believes the anomalies in the registration of deaths abroad system which this bill addresses are non-controversial and could and should have been resolved months ago in the last parliament, so we are pleased to support this bill for the second time. But we want to put it on the record that the delay in securing passage of this bill is regrettable. The delay is a direct consequence of this government's failure to manage its legislative program in the last parliament and a direct consequence of the Prime Minister's decision to go to an early election. This bill also reflects the lack of a clear agenda from the Turnbull government in that this is the first piece of legislation that the government has brought before the Senate this term.

As I said at the outset, we support the bill. It is a worthy bill but it is a bill correcting a technical error; it is not a bill that is part of a clear agenda from the government. One wonders why the government believes its agenda should commence with a bill that could have been dealt with in non-controversial legislation on Thursday or, frankly, prior to the parliament being dissolved. The government's agenda is focused on fixing a technical error in this bill. To our way of thinking, this is a clear sign that this is a government that is in office but not in power. It is unsurprising that so many, even on the government benches, are wondering what on earth the government's agenda is. The opposition is happy to support the legislation. I commend the bill to the chamber.

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (18:27): This bill was initially introduced to the House of Representatives on to March 2016 and was passed by the House on 16 March 2016. The second reading speech was moved in the Senate on 16 March but lapsed on the dissolution of the parliament on 9 May 2016.

About 1,300 Australians die overseas each year. In most cases, the deaths are registered in the country where the death occurred. However, a number of recent international crises such as the disappearance of MH 370 have demonstrated that in modern society the registrar-general needs to be able to respond to requests for registering a death that may have been derived from previously unforeseen circumstances. State legislation has proved to be too
restrictive to allow the registration of a death, for example, where someone has lived overseas for an extended period and cannot demonstrate a link to any state or territory. As a result, the death of approximately 10 Australians were unable to be registered states and territories in 2015.

The key elements of the bill include: broadening the scope of those persons whom the foreign minister may appoint to act as registrar of deaths abroad, providing the registrar with broader discretion to register overseas deaths of persons who have some connection with Australia, providing the registrar discretion relating to the procedural administration of the act and removing redundant provisions. More specifically, the amendments will remove references to the Public Service Act 1999 to rectify a recently identified anomaly created by the separation of the Australia Capital Territory from the Commonwealth in 1994.

Currently the act provides that the foreign minister may appoint a person who is engaged under the Commonwealth Public Service Act 1999 to act as a registrar of deaths abroad. The foreign minister, in 1984, formally appointed the registered general of the ACT has the register of deaths abroad. In 1994, when the ACT separated from the Commonwealth, the ACT government enacted the Public Sector Management Act 1994. At that time, all ACT government employees were moved to be employed under this act including the ACT Registrar-General, removing the ACT Registrar-General authority to register overseas deaths. The ACT Registrar-General ceased registering overseas deaths under the act in 2015. It also removes redundant provisions that allow for persons holding of performing duties in a country or place outside Australia to register overseas deaths. This is done by amending the definition of registered officers to remove reference to a person holding or performing the duties—

Proceedings suspended from 18:30 to 19:30

Senator RUSTON: This bill also seeks to amend the definition of registered officers to remove reference to a person holding or performing the duties of a consular or diplomatic officer in an overseas mission. In practice, Australian consular and diplomatic officers have not registered deaths overseas for several decades.

It also broadens the authority of the foreign minister to determine who may act as registrar, where the register will be kept and the provisions relating to the procedural administration of the act, such as the form and method of registration and official stamps. It seeks to do so through amendments to the act that will continue to provide the foreign minister with the authority to appoint the ACT Registrar-General as the Registrar of Deaths Abroad. However, it will also allow the foreign minister, when required, scope to appoint any other state or territory registrar-general to perform the role of Registrar of Deaths Abroad.

It will also broaden the legislation's scope to address previously unforeseen circumstances. It will allow the Registrar of Deaths Abroad to register any overseas deaths that could have been registered under the law of a state or territory where the state or territory concerned has provided notice that they will not register a death. For example, where an Australian national has died on a vessel not travelling to or from Australia and where another country will not register the death, such as in the case of MH370; where there was a dispute as to which country should be the issuing authority for the death certificate; or where the Australian has moved out of the country for an extended period of time and cannot demonstrate a connection to an Australian state for a death to be registered.
Under the existing legislation, delays can occur in registering deaths overseas in circumstances that were unforeseen at the time the legislation was drafted. This can unnecessarily add to the suffering of the deceased's relatives. The amendments should simplify and expedite the process of registering deaths abroad. Under current arrangements, applicants can remain in a procedural limbo as they negotiate with state or territory registrars to register an overseas death.

The passage of this legislation will not result in any additional cost to the community or to the Commonwealth. In consultation with the Office of Best Practice Regulation, a regulation impact statement is not required because the measures are of minor policy significance and will not impose a regulatory burden on individuals, businesses or community organisations.

Australia's consular officials work in very difficult and emotionally trying circumstances. We all remember their tireless work in the days and weeks following the shooting down of Malaysia Airlines flight MH17 over Ukraine on 17 July 2014. This act of senseless violence killed all 298 passengers and crew on board, including 38 people who called Australia home. The government launched Operation Bring Them Home to secure, identify and repatriate the remains of the victims, to investigate the cause of the incident and to hold those responsible to account. Over 500 Australian officials, including police, military, diplomatic and consular personnel, were deployed to Ukraine and the Netherlands to support our operation. Australia's consular response included establishing a 24-hour crisis centre that continued for 68 eight-hour shifts involving 115 staff. It also established a six-member MH17 task force that produced 70 briefs for the government, 55 situation reports and 20 briefings to the National Security Committee of Cabinet.

The Minister for Foreign Affairs stated at the time:

The work of the dedicated consular case officers assigned to each MH17 family, perhaps the most difficult of all assignments, deserves the highest praise. Having spoken to the families of the victims, I know how heartbreaking this work must have been. So I thank everyone in my department involved in bringing home the Australian victims—and I know their work is ongoing—on behalf of the families and the Australian people. They have served our country with distinction.

I also associate myself with the foreign minister's remarks. As a minister and a senator for South Australia, not a week goes by where my office is not contacted by an Australian citizen who has experienced difficulty while travelling or working overseas. The support of Australia's consular officials at these times has been second to none.

With more Australians travelling overseas than ever before, the demand on our consular officials is growing. In 2014-15, Australians took over 9.7 million trips overseas, up from 9.5 million in 2013-14 and 8.9 million in 2012-13. The Department of Foreign Affairs and Trade managed nearly 16,000 consular cases in 2014-15—a nine per cent increase on the previous year. Of the approximately 1,300 Australian deaths that occur overseas every year, the majority are from natural causes. An increasing number are due to accidents or murder, however. In recent years we have also had to deal with natural disasters like earthquakes in Nepal and tropical cyclones in the Philippines. Each of these crises has presented a unique challenge to the government and Australia's dedicated consular officials. In the case of the Nepal earthquake, 12 consular officers were deployed to provide assistance to Australians in Kathmandu and surrounding regions.
The Australian government is committed to ensuring the welfare of Australians travelling or working overseas. The Australian government has expanded our diplomatic network to increase market access for Australian businesses, strengthen our national security and, importantly, enhance our ability to provide consular assistance to Australians travelling and working overseas. Since 2013 we have opened up new overseas missions in Papua New Guinea, Indonesia, Iran, Thailand, China, Mongolia, Qatar and the United States of America. Our announcement of five new posts in 2014 was the single largest expansion of Australia's overseas diplomatic footprint in the last 40 years. At the 2016 election, the government committed additional funds to open a further three diplomatic posts, taking the total number of diplomatic and Austrade missions to 11.

The government also committed funds to establish a global watch office within the Department of Foreign Affairs and Trade to strengthen our capacity to monitor and respond to emergency situations overseas on a 24-hour basis. The watch office will ensure high-quality consular services can be provided to Australians overseas who find themselves in difficulty. It will also enable the government to quickly activate crisis response efforts in the event of emergency; provide detailed analysis of fast-moving geostrategic events as they occur, including real-time updates to travel advice; and provide better coordination for major events overseas, such as the Olympic Games and the Anzac Day services. Recent terror attacks in Paris, Brussels, Ankara and Istanbul, and natural disasters throughout the region, like Cyclone Winston in Fiji, highlight the need for the Australian government to be well informed and able to respond quickly to emergency situations overseas, particularly when Australians are at risk.

Lastly, I take this opportunity to remind Australians planning to travel overseas to register with Smartraveller. Australians should be informed and prepared when they are travelling overseas. In November 2015 the Australian government launched the Smartraveller information campaign to encourage Australians to be more informed and prepared before they travel and more self-reliant while they are overseas. There is no excuse for not taking out travel insurance. As has been said, if you cannot afford travel insurance, you cannot afford to travel. Sadly, the news is full of stories of Australians who encounter trouble overseas and who could not afford medical assistance of the cost of returning home. Australians travelling overseas are subject to local laws and they need to make sensible decisions about what they do.

When Australians get into difficulty overseas, Australian diplomatic and consular missions can provide assistance, but there is a limit to what they can do. Consular officials are guided by the Consular Services Charter. While each case is unique and the level of assistance depends on circumstances, assessments may include providing the details of the local doctors and lawyers, visits to Australians incarcerated overseas to check on their welfare, liaising with local authorities in missing persons cases, and the provision of advice and support on a range of matters, including the death of a relative overseas.

Consular officials cannot guarantee your safety while overseas. They cannot give you legal advice or intervene in another country's court proceedings and they cannot get you out of prison. We cannot intervene in another country's sovereign judicial system, just as we would not countenance another country seeking to do that in Australia. Ultimately, Australians must accept responsibility for their own welfare and make decisions that reduce risks, including
reducing the burden on their families and friends should they encounter difficulties while travelling overseas.

I welcome the opposition's support for this very important bill. The death of a family member is a distressing time. The Registration of Deaths Abroad Amendment Bill 2016 removes an unnecessary cause of anxiety and a stress on families when they are least able to handle it. I commend this bill to the Senate.

Question agreed to.
Bill read a second time.

**Third Reading**

The **ACTING DEPUTY PRESIDENT (Senator Gallacher)**: As no amendments to the bill have been circulated, I call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

**Senator RUSTON** (South Australia—Assistant Minister for Agriculture and Water Resources) (19:39): I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

**COMMITTEES**

**Membership**

The **ACTING DEPUTY PRESIDENT (Senator Gallacher)** (19:40): The president has received letters requesting changes to the membership of committees.

**Senator RUSTON** (South Australia—Assistant Minister for Agriculture and Water Resources) (19:40): by leave—I move:
That senators be discharged from and appointed to committees as follows:

**Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—**
  Appointed—Senators Bilyk, McKenzie, O'Sullivan and Watt

**Corporations and Financial Services—Joint Statutory Committee—**
  Appointed—Senators Hume, Ketter, O'Neill and Williams

**Electoral Matters—Joint Standing Committee—**
  Appointed—Senators Brown, O'Neill, O'Sullivan and Reynolds

**Foreign Affairs, Defence and Trade—Joint Standing Committee—**
  Appointed—Senators Back, Conroy, Farrell, Fawcett, Gallacher, Macdonald, McKenzie, Moore, O'Neill and Reynolds

**Human Rights—Joint Statutory Committee—**
  Appointed—Senators Brown, Paterson, Reynolds and Singh

**Law Enforcement—Joint Statutory Committee—**
  Appointed—Senators Abetz, Bilyk, O'Sullivan and Singh

**Library—Standing Committee—**
  Appointed—Senators Back, Duniam and Paterson

**Migration—Joint Standing Committee—**
Appointed—Senators Back, Dastyari and Paterson

**National Capital and External Territories—Joint Standing Committee**—
Appointed—Senators Duniam, Gallagher, McCarthy and Paterson

**National Disability Insurance Scheme—Joint Standing Committee**—
Appointed—Senators Duniam, Gallagher, Hume and McCarthy

**Northern Australia—Joint Standing Committee**—
Appointed—Senators Dodson, Macdonald, McCarthy and Smith

**Procedure—Standing Committee**—
Discharged—Senator Dastyari
Appointed—Senator Gallagher

**Selection of Bills—Standing Committee**—
Discharged—Senator Dastyari
Appointed—Senator Gallagher

**Trade and Investment Growth—Joint Standing Committee**—
Appointed—Senators Abetz, Bushby, Chisholm and Lines.

Question agreed to.

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**BILLS**

**Primary Industries Levies and Charges Collection Amendment Bill 2016**

First Reading

Bill received from the House of Representatives.

**Senator RUSTON** (South Australia—Assistant Minister for Agriculture and Water Resources) (19:40): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

**Senator RUSTON**: by leave—I move:

That the provisions of paragraph (6) of standing order 111 not apply to the bill.

I table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated into *Hansard*.

Leave granted.

The statement reads as follows—

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2016 SPRING SITTINGS**

**PRIMARY INDUSTRIES LEVIES AND CHARGES COLLECTION AMENDMENT BILL**

**Purpose of the Bill**

The bill amends the *Primary Industries Levies and Charges Collection Act 1991* to make minor changes to the ability to distribute levy payer information for the purpose of developing levy payer registers.
The amendments will allow distribution of levy payer information from agricultural industries that pay statutory agricultural levies, if a research and development corporation (RDC), in consultation with industry, requests that government collect this information.

**Reasons for Urgency**

Introduction and passage in the 2016 Spring sittings will ensure agricultural industries are able to benefit from these straightforward legislative amendments in a timely manner. The bill was first introduced to the Parliament in Autumn 2016. It was considered by the Senate Rural and Regional Affairs Transport and Legislation Committee, which recommended that the Senate pass the bill. The Committee received and considered 35 submissions from stakeholders in developing its recommendations. These stakeholders are likely to expect the bill's introduction and passage through the Parliament at an early stage.

The Senate Rural and Regional Affairs and Transport Committee's report into its inquiry into *Industry structures and systems governing the imposition of and disbursement of marketing and research and development (R&D) levies in the agricultural sector* identified improved consultation and allocation of voting entitlements as critical for the ongoing health of Australia's R&D system. The report's first two recommendations identified legislative amendments to allow for the development of levy payer registers as key to achieving this aim.

The legislation currently prohibits information collected by the Department of Agriculture and Water Resources being distributed to RDCs for the purpose of developing levy payer registers. This bill will make amendments to allow this to occur, at the request of the relevant RDC and industry.

A number of RDCs are actively investigating options for levy payer registers and are proceeding with investments in the development of interim registers.

In addition, the Agricultural Competitiveness White Paper identifies a number of measures aimed at improving Australia's world-leading rural R&D system. These measures and the outcomes they seek to deliver, including new research and development priorities, improved governance of RDCs and increased funding for the Rural Industries Research and Development Corporation, would benefit from timely improvements to consultation between RDCs and the levy payers that fund the R&D system.

Levy payer information will also be available to the Australian Bureau of Statistics to support its functions.

Question agreed to.

**Second Reading**

**Senator RUSTON** (South Australia—Assistant Minister for Agriculture and Water Resources) (19:41): 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—

Australia's rural industries are among the most innovative and productive in the world. Continued investment in rural research and development (R&D) is vital to ensure ongoing growth and improvement in the profitability and competitiveness of Australia's agriculture, fisheries, forestry and food sectors. In recognition of this, the Australian Government works with industry to co-invest in research through our world-leading rural R&D system.

Much of this work is delivered through the 15 rural research and development corporations (RDCs). RDCs provide a mechanism for industry to come together and invest collectively in R&D. The
government assists by establishing and collecting a levy on behalf of an industry, if an industry requests this. The government also matches an RDC’s eligible R&D spending up to a legislated cap. It is estimated that for every dollar that the government invests in rural R&D, farmers generate a $12 return over 10 years.

Feedback from primary producers is an integral part of how RDCs work. RDCs are required to consult with industry on their activities, to give those who fund the research, via levies, an opportunity to provide input into the strategic direction of the corporation.

Numerous reviews and inquiries, including the Senate Rural and Regional Affairs and Transport References Committee's inquiry into Industry structures and systems governing levies on grass-fed cattle and Industry structures and systems governing the imposition of and disbursement of marketing and R&D levies in the agricultural sector, have identified improved consultation with levy payers as key to the ongoing strength of Australia’s rural R&D system. Several of these inquiries recommended that the establishment of levy payer registers would offer a way for RDCs to consult more effectively with the primary producers who fund them.

The government agrees that levy payers should have more of a say in how their levy funds are spent. RDCs should know who their levy payers are. Levy payer registers would provide RDCs with the ability to identify and consult directly with levy payers on research priorities and levy expenditure, and to accurately and efficiently allocate voting entitlements for polls, where this is relevant.

This Bill makes possible the establishment of levy payer registers by RDCs by amending the Primary Industries Levies and Charges Collection Act 1991. As it stands, the Act only permits the distribution of levy payer information to the wool and dairy RDCs. This Bill remedies this by allowing the government to provide levy payer information, for the purposes of a levy payer register, to the 13 other RDCs.

The Bill removes the legislative impediment to the development of levy payer registers. However, recognising that a ‘one size fits all’ approach would not be appropriate given the diversity of Australian agricultural industries, the Bill allows for the distribution of levy payer information to an RDC to occur only where an RDC, in consultation with industry, requests it, and that request is approved by the minister. The Department of Agriculture and Water Resources would then work with the RDC on the administrative design and development of a register. This is consistent with the government’s approach to the broader R&D levy system, which is centred on industry support.

The Bill also allows the Secretary of the Department of Agriculture and Water Resources to permit levy payer information to be provided to the Australian Bureau of Statistics. This is consistent with the Australian Government’s Public Data Policy Statement, which commits to securely share data between Australian Government entities to improve efficiencies, and inform policy development and decision-making.

The Bill maintains current practices for distribution of the name and address of the person or body that lodges levy returns with the Department of Agriculture and Water Resources, to RDCs, industry representative bodies and others. In limited situations, the person that lodges returns is also the levy payer (for example, in the turf industry).

The Bill does not permit disclosure of information included in a levy payer register by an RDC or the ABS to a third party, except in limited circumstances and where expressly permitted by the Secretary in writing. This aims to protect the integrity and security of levy and charge payers’ personal information.

Where an eligible recipient is permitted to disclose levy payer information to a third party, that person or body may only use the information for restricted purposes relating to R&D, marketing, biosecurity or the National Residue Survey, or in connection with any activity carried out by the RDC for the benefit of producers in the industry it serves.
Where levy payer contact details are to be provided to an industry representative body, the administrative arrangements will enable levy payers to choose to opt-out and not receive information.

The passage of this Bill is the first key step in allowing for the development of levy payer registers, making it possible for the RDCs to identify and connect directly with those who fund their work.

Through greater levy payer engagement in the R&D system, RDCs will be able to better align research investments to industry priorities—improving returns to primary producers and contributing to a more profitable, competitive and sustainable agricultural sector.

We will now work with the RDCs and industry to make this happen.

The government is committed to an Australian R&D system that remains transparent, consultative and delivers tangible benefits to Australia’s agricultural industries into the future.

Senator CAROL BROWN (Tasmania) (19:42): I begin my contribution by stating that the opposition will be supporting the Primary Industries Levies and Charges Collection Amendment Bill 2016. The bill removes the legislative impediment in the Primary Industries Levies and Charges Collection Act 1991 to develop levy payer registers. This will allow all 15 rural research and development corporations, RDCs, to better communicate with their levy payers. Currently, as the act stands, it only permits the distribution of levy payer information to the wool and dairy RDCs.

The opposition also agrees that a one-size-fits-all approach would not be appropriate given the diversity of Australian agricultural industries. The bill allows for the distribution of levy payer information to an RDC to occur only where an RDC, in consultation with industry, requests it, and that request is approved by the minister. The levy payer registers would provide the RDCs with the ability to identify and consult directly with levy payers on research priorities and levy expenditure, and to accurately and efficiently allocate voting entitlements for polls, where this is relevant.

The bill also allows levy payer information to be distributed to the Australian Bureau of Statistics, the ABS, to perform any of its functions under the Australian Bureau of Statistics Act 1975. As detailed in the explanatory memorandum, this is consistent with the Australian government’s Public data policy statement, which commits to securely share data between Australian government entities to improve efficiencies and to inform policy development and decision making. It is important to note that this bill is enabling legislation and that, for a levy payer register to occur, the RDC, in consultation with industry, would need to agree to the development of the register, and then that request would need to be approved by the minister.

Both the shadow minister for agriculture and the Minister for Agriculture have acknowledged that there have been a number of Senate inquiries that have recommended that the RDCs should know who their levy payers are. In particular, the Rural and Regional Affairs and Transport References Committee tabled its report in June 2015 recommending that the Primary Industries Levies and Charges Collection Act 1991 be amended to enable the collection and distribution of levy payer information which will allow the creation of levy payer databases for all agricultural industries that pay agricultural levies.

Further, it must also be acknowledged that the government actually introduced this bill in the dying days of the 44th Parliament on 3 March 2016, some eight months after the committee tabled its report. The bill was referred to the Senate Rural and Regional Affairs and Transport Legislation Committee on 17 March 2016, and the committee tabled its report in April 2016.
The Senate committee made three recommendations: (1) that the bill be passed; (2) that the Department of Agriculture and Water Resources continue to consult with RDCs and representatives of the agricultural industries as it implements the regulatory and administrative framework associated with the measures contained in the bill; and (3) that the Minister for Agriculture and Water Resources tables a response to the Senate Rural and Regional Affairs and Transport References Committee's report, tabled in June 2015, of the inquiry into the industry structures and systems governing the imposition and distribution of marketing and research and development levies in the agriculture sector.

The report acknowledged concerns by various submitters about how the implementation of the regulatory and administrative framework associated with the measures contained in the bill would actually work, especially with regard to sharing information with third parties. More information was requested about how the information about levy payers might be shared by peak industry bodies and councils, the degree of consultation required by RDCs, and the method by which levy payer information would be collected. The department advised that it is working closely with RDCs and industry representative bodies to develop detailed guidance so that the agricultural industry would have explicit guidance on how the levy payer database can be used, how the data should be stored and the protections that should be in place. The opposition believes that the government should have put forward draft guidelines for the parliament to consider while debating this bill, as it is important that levy payers are confident that their private information will be securely stored and are provided with information about how the data will be used.

Further concerns were also raised about the ability for the secretary to authorise disclosure of levy payer information to third parties, particularly to peak industry bodies. The submitters feared that levy payer information may be used by peak industry bodies for the purpose of conducting political campaigns. For example, FLAGS Australia expressed concern that peak industry bodies could misuse the levy payer register for this purpose. United Stockowners of Australia expressed similar concerns, specifically about the Cattle Council of Australia.

The committee were told that the bill sets out the purposes for which an eligible recipient would be able to use the database, and this includes a clause that it cannot be used for political purposes. However, without draft guidelines or regulations, it is difficult to reassure concerned levy payers that their information will not be misused.

All of us in this place can provide examples of database information being misused, and, once this information is shared and possibly misused for political purposes, it will be just about impossible to undo the damage. Further, concerns were expressed about the absence of penalties if the information were misused.

Voice of Horticulture and others sought further information about the costs of establishing the levy payer register database. The department noted that each RDC would need to consider the potential benefits against the significant investment that would be required. There is no obligation for RDCs to create a database. The bill only offers the RDCs the opportunity to create a levy payer register. This of course raises the issue of conflict of interest if the RDC and industry bodies are at odds as to whether the database should be created. Further, there are no details as to whether the costs will be the responsibility of the RDC or whether industry could assist with the associated costs. Once again, had the government put forward draft framework guidelines these unanswered questions could have been addressed. I will
acknowledge that the government finally responded to the June 2015 committee report in May 2016—almost one year on.

As I initially stated, the opposition do see value in allowing the RDCs to create a levy payer register database if they choose to do so and we are supportive of this legislation. However, we are critical of the government's lack of detail regarding the implementation of the regulatory and administrative framework associated with the measures contained in this bill.

Rather than further delaying this bill due to the go-slow nature of the government, the shadow minister for agriculture has written to the minister for agriculture asking him to ensure that draft guidelines are put forward for consideration by the opposition, minor parties, Independents, industry groups and individual levy payers, so that we can ensure confidence is maintained in our world class levy payer rural research and development system.

Senator RICE (Victoria) (19:50): I rise today to speak to the Primary Industries Levies and Charges Collection Amendment Bill 2016. I am pleased to say that this is the first agriculture bill that I am speaking to in my new position as the Greens' spokesperson for agriculture and rural affairs. But I firstly want to thank my predecessor, Senator Rachel Siewert, the previous Greens' spokesperson, for the work that she has done on agriculture over her years in the Senate, not only in general, as a member of the regional and rural affairs and transport committee, but in particular as an advocate for a fairer and more sustainable agricultural sector in Australia.

The bill before us today deals with the transparency, accountability and responsibilities of our rural research and development corporations. The roles of the RDCs are only going to become more important over the coming years and, as the rural and regional affairs and transport committee investigation found last year, research and development investment from state and commonwealth bodies is contracting, right at the time when the agriculture sector is facing a whole new set of constraints. This leaves the rural research and development corporations to bear the majority of the responsibility in leading the Australian agriculture sector into the 21st century.

We are now seeing the impact that volatile globally connected markets are having on several of our agricultural industries, as the stories of our dairy and now our wheat farmers hit the front pages of the press. Critically, we are also seeing an increased realisation of the reality of our changing climate, and the consequences of these changes on our farming communities, as we need to both mitigate and adapt to these changes.

Both of these challenges coincide with what has been an extended slump in the sector's productivity growth, which, by world standards, is pretty unique to Australia. This productivity slump must be reversed if we hope to meet the growing demand for our limited food resources without irreparably harming our communities and ecosystems. I hope in my tenure as the Greens spokesperson for agriculture and rural affairs to continue to push for responses to these challenges from my fellow elected leaders and to stand up against a 'business as usual' complacency from those that benefit from the status quo.

The bill before us is the first legislative response to the committee inquiry into the collection and disbursement of research and development levies that was conducted last year. It was clear in last year's references inquiry into the levy system that the current processes are
in need of reform—firstly, to better build on the transparency and accountability of the rural research and development corporations to levy payers; and, secondly, to better assist the RDCs in the performance of their responsibilities and effective dissemination of their work back to the community.

The legislation before us would amend the Primary Industry Levies and Charges Collections Act 1991 to allow the department to provide levy and charge payer information to additional rural research and development corporations and industry service bodies and to the ABS. Recipients, in turn, would be able to use the information for purposes including developing levy payer registers, publishing statistics and performing their functions. These shifts would increase the ability of RDCs to consult with their levy payers, helping shape research priorities, while enabling RDCs to better understand both the character and interests of their constituencies. Additionally, by empowering the Australian Bureau of Statistics to also access this information we open up the possibility of much more comprehensive agricultural statistical indicators, to inform our policy priorities both in this place and across departments.

When you are talking about data being accessible to a wider range of people, the Greens understand the privacy concerns associated with that and treat very seriously the concerns that were raised in some of the submissions to the committee. There are serious privacy implications for the handling of peoples data, especially when third parties are involved. And these need to be seriously addressed in further work that we do not believe has yet been completed. However, we do not believe the issues raised are enough for us to consider that this bill should not be supported. We also understand that the legislation does not explicitly empower industry representatives who have important roles to play in facilitating the relationship between the research and development corporations and levy payers.

We believe that collectively these concerns we have about this legislation do not amount to enough to give us grounds to reject the legislation before the chamber today. We believe that both the explanatory memorandum and the majority committee report do make a persuasive case for how privacy will be protected, potential misuses of information mitigated and the community consulted. However, there is clearly more work to be done to give certainty and to make sure that people's privacy is going to be protected.

We ask that the government take these reservations into consideration, and we echo the majority report of the committee in recommending that the Department of Agriculture and Water Resources consult with the research and development corporations, agricultural industry representatives and the wider community as it implements this new regulatory and administrative framework.

Following on from this, there is still a case for further reform in developing greater transparency and accountability processes between levy payers and RDCs, and there is a larger debate still to be had about the role of levy payers in voting on rates and setting research priorities. But we believe that is something we can continue to work on in the future. With regard to this bill, the Greens will support the legislation and we commend the bill to the Senate.

Senator IAN MACDONALD (Queensland) (19:57): The Primary Industries Levies and Charges Collection Amendment Bill 2016 is a much needed reform that is fortuitously before
the parliament now, and I congratulate the minister for his work in bringing this bill before the parliament.

The issue particularly arose—what is now some years ago—when the minister arranged for the Senate Standing Committee of Rural and Regional Affairs, I think it was, to look into the question of levies, particularly in relation to the grass-fed cattle industry. That inquiry by the committee revealed some very interesting issues and some very interesting facts. It also quite clearly established that there was need for change. This bill brings forward some of that change.

The Australian rural industries, as senators will know, are amongst the most innovative and productive in the world. It is important that we continue investment and rural research and development, and it is vital to ensure that the ongoing growth and improvement in profitability and competitiveness in Australia's broadly described agriculture sectors does continue. It is important that the government works with industry to co-invest in research through our world-leading rural research and development systems.

The inquiry to which I referred, which took quite a substantial amount of the committee's time when the inquiry was in the course of its operations, heard particularly from grass-fed beef cattle producers right across the nation, and it was clear that reform was needed. I am trying to find these passages as I speak but, as I recall, there were some real problems with the constitution of the R&D corporations in whatever form they were, and there were some real anomalies in how those R&D corporations were governed—what their rules of operation were and, most importantly, who was appointed to the board that decided what matters should be researched and what matters should be given priority and predominance by the R&D corporation.

There were some real anomalies in relation to the grass-fed beef cattle people, as I recall. I am going from memory here, because I have not quite been able to pick that up in the time I had to have a look at it. There was an instance, as I understand, where you got a vote for the board at the R&D corporation in accordance with the number of cattle transactions that you were involved in over a particular period of time, but there was no auditing, no careful consideration of how many votes you were entitled to. I recall one person giving evidence to say that they made up a number; they said they had 50,000 transactions with cattle at one particular time. They did not, though—they were quite open about it—but they put that number in, because the only way that they got a vote was by simply advising the authority that there had been this many transactions. Therefore they got that many votes even though they may well not have, in effect, had any cattle transactions at all. So it was quite clear that there needed to be reform, and the Senate Rural and Regional Affairs and Transport Committee did look into that at some length.

This bill before the parliament makes it possible for the establishment of levy payer registers by the particular RDCs. I am talking about the grass-fed beef cattle industry, but it applies to a number of other levy payer registers where there is a research and development corporation. The bill remedies some of the problems by allowing the government to provide levy payer information for the purposes of the levy payer register to 13 other regional development corporations and, consistent with the application of the broader R&D levy system, the establishment of levy payer registers will occur only when the RDC actually requests it.
As I say, these RDCs go beyond just the beef cattle area—they include the Australian Egg Corporation Limited, Australian Grape and Wine Authority, Australian Meat Processor Corporation, Australian Pork Limited, Australian Wool Innovation, Cotton Research and Development Corporation, Dairy Australia, Forest and Wood Products Australia Limited, Fisheries Research and Development Corporation, Grains Research and Development Corporation, Horticulture Innovation Australia, LiveCorp, Meat & Livestock Australia, the RIRDC and Sugar Research Australia.

This bill allows the distribution of levy payer information to the various regional development corporations for the development of levy payer registers, and the register will allow the RDCs to identify and consult directly with the levy payers who fund the R&D system and ensure accuracy in the allocation of voting entitlements. That was the issue that the Senate committee identified and looked into very, very carefully at the time because, as I mentioned and gave the example of, there were a lot of anomalies in that area. This required addressing in the grass-fed beef cattle area, and clearly in these other rural R&D corporations as well.

Through greater levy payer engagement, the RDCs will be better able to align research investments to industry priorities. That was one of the problems that came up in this inquiry. The grass-fed beef cattle industry players—those who actually grew the cattle—did not believe that the R&D corporation was investing the research and development moneys into the area which they thought was a priority. This new system will align research investments to industry priorities, which in turn will hopefully improve returns to farmers, fishermen and foresters, and will contribute to a more profitable, competitive and more sustainable agricultural sector.

It was clear in the Senate inquiry and it is clear when you discuss this matter and consult across rural industries that the one-size-fits-all approach is not appropriate because within Australian agricultural industries there is a great deal of diversity. This bill allows for the distribution of levy-payer information to an RDC to occur only where the RDC in consultation with industry asks for it and that that request is approved by the Minister for Agriculture and Water Resources. The Department of Agriculture and Water Resources would then work with the RDCs to administer the design and development of a register.

What this bill does is try to regularise the levy-payer information—what can be distributed, what can go to the Australian Bureau of Statistics for their purposes. It is also consistent with the government's public data policy statement, which commits to securely shared data between government agencies to improve efficiencies and inform policy development and decision making. Secondary disclosure of levy-payer information by an RDC and the Australian Bureau of Statistics will be limited. The departmental secretary can approve its disclosure in some circumstances, including for example disclosure by an RDC to an industry representative body for the purposes of consulting on research and development activities that are to be conducted by the corporation.

In coming to this bill, the minister did consult widely and, to a fairly high degree, the minister's decision in relation to amending this bill came from the inquiry by the Senate Rural and Regional Affairs and Transport Committee into the industry structures and systems governing levies on grass fed cattle and industry structures.
This is an important bill. It has been a fair while in the making and I am pleased to see that it is here before the parliament at the moment. I suspect there are a few other things that need to be done and these were identified in that committee inquiry, but this is a very good start and I congratulate the minister for doing this and bringing this bill before the parliament. It will make things ‘better’—a silly word—but it will make things better and more efficient for the industries that are able to access the innovations in this bill. Hopefully, that will lead to better research and development in our primary industries, our agricultural industries, which in turn will lead to better wealth for the farmers involved, and better export potential for those agricultural export products. All of that, of course, means a better Australia, a healthier and, hopefully, wealthier rural and regional Australia and continuing success for our agricultural industries. I support the bill and urge the Senate to do likewise.

Senator LEYONHJELM (New South Wales) (20:11): Taxation without representation sucks. It is inherently unfair to be required to pay for a system but have no say in how the system works. This is currently the world of agricultural levies. A levy may sound more benign than a tax. But make no mistake, R&D levies, marketing levies and biosecurity levies are all taxes on production. In fact, compulsory levies paid by producers each year amount to about $500 million. At various times, the amount paid in levies can be more than the profit made by individual producers, and numerous producers pay hundreds of thousands of dollars per year in levies. By any measure, levy payments are a significant impost and should be fully justified. In many cases, farmers who pay the levies are happy to continue doing so. I suspect most believe, perhaps innocently, that the levies are put to good use and should be paid. The problem is very few levy payers are ever actually asked whether they are happy. If they are not happy, there is nothing whatsoever that most of them can do about it.

In the previous parliament, two Senate inquiries recommended that this should change. I was an active participant in the second inquiry which examined the levy system across all agricultural and horticultural sectors. By the end of the first hour of evidence at the first hearing, it was apparent the system is broken. What the committee heard is that a number of farmer groups have never been consulted as to whether they want to pay levies. They were not asked when the levy was first imposed and they have never been asked if they want to keep paying. Some had the opportunity to vote to impose a levy the first time, but decades later have not been able to vote on whether to keep paying it, not even when the money has been poorly spent. Some had the opportunity to vote for an increase in a levy but found the votes so rigged it was laughable. We saw this in the last parliament with mushrooms, mangoes and onions, based on ridiculous notions of what is a representative vote.

Until about four months ago, two sectors were standout exceptions to this antidemocratic, unrepresentative taxation. Tens of thousands of dairy farmers and wool producers were polled every few years to determine the rate of the levy. Quite appropriately, they were offered a zero option, which if adopted would mean levy payments would cease and various people in the RDCs—that is, the research and development corporations—would lose their jobs. So far, this has never been chosen, but the possibility that it might be the preferred option focused the minds of those who spent the money, the organisations and RDCs responsible for marketing, research and development. They knew they needed to continually demonstrate to levy payers the value they were getting for their money. It is called accountability.
Unfortunately, on the last sitting day before parliament rose, the government rammed through a bill that removed the requirement by the dairy industry to conduct regular votes. I was the only senator to oppose it. It would have been dealt with in the non-controversial session, but for my opposition. Dairy Australia, and the other dairy industry groups that promoted this, should be ashamed of themselves. It was a nakedly obvious move to reduce, indeed avoid, accountability. The cost argument they claimed was utter garbage. The supposedly high cost of the dairy poll was merely attributable to campaign costs.

With dairy prices currently at rock bottom, there are dairy farmers incurring huge losses, while at the same time paying tens of thousands of dollars in levies. As a result of the bill, a vote will only be held if there is a proposal by Dairy Australia to vary the dairy levy, or, in a catch 22 situation, if enough dairy farmers vote, to conduct a vote. So, now, only the wool industry has levy democracy. It is a disgrace. We all get to vote for a government every three years, and we can choose a party that promises higher or lower taxes. In agriculture, such a basic right does not exist. This bill will go some of the way towards rectifying that. What it will allow is for each industry body to establish a database of levy payers.

I support the bill, although clearly it does not go far enough. It will not oblige the industry bodies to establish databases of levy payers. It merely gives them the legal authority if they choose to do so. It will also not ensure the RDCs use their databases for any constructive purpose, such as a periodic vote on the payment of levies. Indeed, I believe there is a distinct possibility that some RDCs will not want levy payers to be asked whether they want to continue paying levies, especially if they suspect they might not like the answer. I can assure those RDCs that I will be watching with considerable interest whether they actually go ahead and establish a levy payer database. If they do not, I will assume the worst about them.

A database of levy payers is the first step in introducing accountability, and a semblance of democracy, to the levy system. I am quite sure most producers do not begrudge paying a levy if they see value in it. But they deserve to be asked. In fact, they deserve to be asked about how the money is spent, too, such as whether to fund marketing as well as R&D—but I do not expect to see that any time soon. As for giving levy payers a vote, in this age of the internet secure online polls can be undertaken at very low cost, and even a postal vote is not expensive. But to conduct a poll you obviously need a list of voters. It is time we gave primary producers some say over their hard-earned money. This bill is a step in the right direction.

Senator O’SULLIVAN (Queensland) (20:18): I am very happy to make a contribution to this debate on a bill that amends Primary Industries Levies and Charges Collection Act 1991. Like the previous speaker, Senator Leyonhjelm, I too was involved in one of the two inquiries into levies. I will start my contribution by talking specifically about the beef industry, given that, of the rural industries that are affected by this change, it is the area I know best. I imagine that much of what I have to say will be as applicable to other livestock research and development corporations, along with horticulture and some of the other industries in our rural sectors.

Despite some of the observations that have been made by previous speakers about more having to be done, I have taken the view that this bill is focusing directly on using technology and innovation to increase the level of communication between research and development corporations and their constituencies, for want of a better description. In the case of the cattle
industry, it is true to say that there were millions of dollars, and in fact millions of transactions, that attracted a levy. Where that money was paid, agents and others in the saleyards and others had a responsibility to complete the returns. Information about the levy payer, information about the transaction itself—that is to say, what promoted the transaction in terms of the description that was involved, in this case, cattle—was of course not available in those circumstances to the meat and livestock authority. What we do know is there are between some 36,000 and 47,000 cattle producers. Hopefully, this bill and the establishment of this register—assuming that the MLA is one of the applicants, and from my discussions with them I suspect that they will be one of the first to make application for the register, as it is something that they have wanted for a long time—will allow us to more accurately determine just how many cattle producers there are, all the way down to small producers, where a small part-time operator might just be involved in 10, 20 or 30 transactions annually, right through to major corporations, including large family corporations, who of course trade in tens of thousands of head of cattle each year.

In my discussions with Meat and Livestock Australia, one of the problems that they have had is engagement from these levy holders, or these cattle producers, in the life of the MLA. In fact, as alluded to by the previous speaker, Senator Leyonhjelm, there were issues presented that suggested that some of the system was being corrupted to a certain extent by big players who together were very organised in how they might exercise their powers, pursuant to them being a levy payer, with the elections within Meat and Livestock Australia itself.

Meat and Livestock Australia has been picked as an example for me because it covers a number of very significant industries in our country. The MLA, through peak industry bodies, is involved with the Cattle Council of Australia and the red meat authority. It deals with sheep, goats, feedlots and meat exporters. In fact, the peak industry bodies that are affiliated with the MLA cover just about the entire supply chain within the beef industry. This is a multi-multibillion dollar industry in this nation. The industry is currently enjoying somewhat of a price resurgence but, at the same time, we recognise that there are many thousands of families who have not yet recovered from the effects of the live cattle ban in 2011 and the terrible drought which, whilst now largely behind us, has left a legacy where there are operations that are yet to have sufficient pasture regeneration to restock their properties. Some of these producers have spent anywhere between three and five years without a productive income. In terms of recovery, these entities often rely very significantly on organisations like the MLA and the results of the research and development that is done.

The MLA have a budget of about $170 million annually, made up of levy payments from these various sectors, along of course with the matching grants provided by government—the dollar-for-dollar match on research grants. Over a number of decades now, a tremendous amount of work has been done—and continues to be done—on research and development. One of the challenges for Meat and Livestock Australia has been how they disseminate that information back to interested parties. There are many ways to do that in a modern world, and the MLA do that as well as most and better than some.

In effect, this legislation will give them a direct link back to a levy payer. Not only will it allow them to communicate directly with the levy payers, but the information that will be lodged on the register will start to allow them to determine where the levy payer is. The beef
industry is a very diverse industry. If you are growing cattle in northern Tasmania, northern Victoria, the highlands of New South Wales, the western desert country of my home state or up in the gulf, the only thing that those respective enterprises in those geographic zones may have in common will simply be that they produce cattle. There are so many other variables in terms of the markets that they are offer. Some areas specialise in the use of hormones and growth proponents with their cattle; whereas, others pursue markets, particularly the European market, where those things are banned.

This legislation will allow authorities like Meat and Livestock Australia to take the results of their research and development efforts and tailor them to go back to these levy payers—the people who have invested in the research and development, along with the government of the day—and provide them with feedback from the R&D that is quite specific to both the scale of their operation and the geography of where they are operating. In fact, as I understand, in this data there will be descriptions of the trade. So they will be able to indicate what markets some of these levy payers are pursuing, so that they can further refine the research and development outcomes with these producers.

My family is in cattle in a reasonably exposed way, and I know that members of my extended family have used the results of the research and development efforts of the MLA over a period of time. This research and development was to do with pasture management, genetic selection and breed plans. They received great benefit from this R&D. In one case in particular, they modernised their operations to the point where they took what was a marginal living block or family block and they turned it into quite a profitable enterprise. Most of that resulted from them having the benefit of research and development knowledge created by, in this case, Meat and Livestock Australia.

Importantly, this legislation will now create a direct, unbroken nexus between the MLA and these levy payers. So they should receive updates of the results of this research and development work that is directly tailored to the enterprise that they are involved in. It almost defies modern techniques to think that that had not happened up to this point. This legislation is an important leap for rural industries. As we all know, information is power. If this information is collected and collated properly, I think this will provide a great lift to productivity for many of these producers and growers of grains and cereals—in horticulture in particular.

I heard my colleague speak about investment in marketing. I would have to disagree with Senator Leyonhjelm. His reference was to a couple of sectors, and I know in the case of beef that Meat and Livestock Australia, for example, have invested tens of millions of dollars in marketing. The MLA have established offices all around the world where our major markets are, and we have seen the fruits of their labour. We have seen the fruits of labour in the lift of volumes that have gone into the markets—of course, aided by our recent free trade agreements with Korea, Japan and China. There is some exciting work going on in this field with India and now, of course, with Europe. With the Brexit affair there are markets that are going to open up in Europe that our people had not necessarily had a chance to compete in before. With this two-way structure where these research and development corporations will now have firsthand knowledge of who their levy payers are and who their audience is, they will be able to work with the peak industry bodies in the respective fields to be able to
communicate with these people, also, in relation to marketing issues and the dissemination of
the information from the Research and Development Corporations.

I am inclined to agree with Senator Leyonhjelm. I have only heard his contribution since I
came in here. He calls for these peak bodies and these RDCs to pay more attention to the
issue of transparency. I do not think there would be anybody in this place—anybody in this
Senate—that would argue against creating the most transparent environment one could with
the performance of peak bodies and with how they spend their money. I do agree that, over a
long period of time, there have been sectors which have, I think, with some right complained
about how the investment of their money has occurred, the balance between research and
development and marketing, and, of course, when you get down into some smaller sectors,
allegations that some of the behaviour favoured some in the sector over others.

It is particularly important, at least as far as I am concerned, to ensure that we create an
environment where small operations—for what I call 'small operations' we in the cattle
industry call them 'living blocks'; I am sure that they have titles in horticulture and in farming,
also—are able to function and flourish. Small operations, of course, do not have a personal
capacity to conduct research and development on any scale. So it is very important that their
peak bodies and these RDCs are, when they disseminate this information, able to tailor it, as I
mentioned earlier, to the size, scope and geographic considerations of the operations of the
recipients. Small operators could not, as you would appreciate, invest money in genetic
research with livestock operations as one might expect would occur on the scale of Meat and
Livestock Australia. So if we do not have this two-way communication where the peak bodies
and the RDCs can disseminate this information, these small operations will be at a complete
disadvantage. The knock-on effect of that is: much more large-scale corporatisation in many
of our rural industries. Whilst large-scale corporatisation is an important component, if we get
to a point where smaller-scale, family-sized operations—extended family operations—cannot
operate and compete, then the knock-on effect will be the impact it will have on so many
hundreds of our small rural communities around the country.

The larger corporate operations receive equal benefit for the investment in R&D. In fact,
some R&D can only be applied on scale. So you could argue that many of the large
corporations get a better bang for their levy buck from research and development than the
smaller-scale operators. With some R&D, as you know, the introduction of innovative
technologies requires investment. So many of our small family farms and small family
horticulture growers just do not have that sort of capital to invest. It is important that we pay
attention to that fact and do whatever we can through our research and development
investment as a government and within the industry to ensure that these smaller-scale
operations can stay and compete in the industry, lest we will see, as I say, the corporatisation
of the agriculture sector. Whilst that has a positive contribution on occasions, if we were to do
everything on scale then so many of our small communities out west would disappear.

Many of these larger corporate operations operate very much like the resource sector—in
that they fly-in fly-out with their staff. They are more inclined to buy 10 or 15 Toyotas at a
time in Melbourne and import them onto Melbourne ports than they are to go into Charleville
or Roma, or Cloncurry, in my state to make purchases. So it is so significantly important that,
as the government, and as a nation, we continue to focus on whatever it is we can do to
enhance the ability of small family operations—these family farms—to continue to prosper,
to flourish and, indeed, to make it attractive enough for a generational investment from father
to son, from mother to daughter, so that they can remain in rural areas and grow the
economies of those small districts.

I think in the fullness of time, as we reflect upon this legislation that is before us today, we
are going to see it make a significant contribution. In a modern world, communications are
instantaneous. You can press a button, if you know how to—some of us who, sadly, were
born in the fifties struggle a bit with which button to push, but, fortunately, we have people
who can show us what to do there—and you can instantaneously pass on very large volumes
of important and significant information between one and another. That is what this bill will
be about. It is a two-way street. The information that these peak bodies will receive will allow
them to engage with these levy payers. And I agree with Senator Leyonhjelm: it is a challenge
for them now to engage with their base, with these individuals, and to put as many tests
against themselves for transparency as one can. They no longe
r will have an excuse that they have not communicated back to the people who have invested in this research and
development, and marketing. Up until now they have had a defence that they did not know,
necessarily, who they were, except for their development of databases that they have done
independently of this.

I think all the appropriate privacy considerations have been taken into account in this
legislation. I know that the peak bodies and the RDCs whom I have had a chance to talk to
since the inquiry will welcome this. There will be some, of course, who will be anxious
because they know now that they may have to make sure that the investments done on behalf
of their members are done in a proper, fair and equitable fashion, because they will have an
obligation, in my view, to report back to them on the progress of their efforts on their behalf.

So I think this is a positive bill. I am sure it is one that is going to be supported. I cannot
see any reason why it will not be supported by everybody across the chamber. For my part, I
commend the bill to the Senate.

Senator BACK (Western Australia) (20:38): I rise to support the comments of my
colleague Senator O'Sullivan in supporting the Primary Industries Levies and Charges
Collection Amendment Bill 2016. I am absolutely delighted here in 2016 that agriculture and
agribusiness have found their place in the Australian psyche. When I came here in 2008/09,
you could not even get agriculture onto the agenda. Today, it is recognised that agriculture is
not only so important domestically but that, from an export point of view, agriculture
contributes about $50 billion to the Australian economy. It is one of those areas that is
expanding astronomically as we embrace the free trade agreements with Korea, with Japan
and with China. I hope we embrace the opportunities with the Trans-Pacific Partnership over
time, because it is going to open up a whole new geographic area for us in the areas of
Mexico, Chile and Peru—into Central and South America.

I want to make some comments more generally about agriculture and primary industry
levies and charges, but I do want to focus for a few moments more particularly on the beef
industry. With regard to agriculture more widely, it is important for people in the chamber
and those listening to understand that the government support on a dollar for dollar basis the
research activities of levy payers. For that reason, it is vitally important that we in this
chamber and in the other place, on behalf of the Australian people, have an interest in, and an
oversight of, how levy moneys are spent.
During the inquiry into this bill, we heard from pretty well every one of the agriculturally related companies or organisations, and we learnt from different sectors within the agribusiness and agricultural industries that there was frustration as to who the levy payers were, as to how much they were paying, as to whom they were making the payments and as to, most particularly, where their dollars went. Again, the government, on behalf of the taxpayers of Australia, do support that research component very, very actively. It is important, particularly in today's world with today's technology, that levy payers are identified, that the amount they pay is correctly recorded and reported, that those funds are made available through the responsible organisations and that, most importantly, we have the smallest amount of administrative burden between the payment of moneys by levy payers and the value of those levies paid by way of research, marketing, development or whatever purpose they are allocated.

In proposing this legislation, the Minister for Agriculture and Water Resources and Deputy Prime Minister made the point that there are 15 rural regional and development corporations, RDCs, and that one size does not suit all. The Senate inquiry we had into this legislation led to a report and recommendations which, I am pleased to say, were almost unanimous if not unanimous. In that inquiry there was a recognition from those who pay levies, to those who receive the levies and those who allocate the research and marketing funding: (a) that there be a separation between the two and that it be transparent, and (b) that on the research component we know where those dollars are being spent.

I want now to focus more centrally on the recommendations that came from the Rural and Regional Affairs and Transport References Committee report into grass-fed cattle. That is going to lead me also to make some observations on the first speech this evening of the newly elected Senator Derryn Hinch. I go back, initially, to the recommendations of the grass-fed beef levy report and its hearings. We held those hearings around Australia: in Canberra, in Broome, in Tennant Creek, in Rockhampton, back to Canberra and back to the Riverina area of New South Wales.

The recommendations of that inquiry are reflected widely in the bill which we are discussing this evening. The first recommendation was that there be established a producer owned body which would have the authority to receive and disburse the funds for research and development as well as marketing, in this case, of the cattle transaction levy funds. Why did that come about? Simply because there was a recognition that there was a wide gap in the knowledge of who paid levies, when they were paid, to whom they were paid and the source of that funding. That recommendation went on:

The producer-owned body should also be authorised to receive matching government research and development funds.

There was also mention made of reforming the Cattle Council of Australia to achieve these outcomes. So immediately this chamber and this parliament became involved in the oversight and husbanding, on behalf of the Australian taxpayer, of funds for research and development—not for marketing but for research and development. I am very pleased to see that the bill, as it has been presented to us for approval, does pick up those questions associated with the recommendation that was made.

The second recommendation was for the establishment of a cost-effective, automated cattle transaction levy system. That system, we said, should identify levy payers against levies paid.
The scenario that we encountered as we went around Australia was that there was no immediacy with settlement. A levy payer would sell cattle into the market and funds would be taken out of that transaction for the purposes of the levy. But a long time gap existed between when the levy payer paid the funds to the person—often the agent who held the funds—and when those funds were eventually retired to the responsible authority. We said in 2015— bearing in mind the current electronic settlements that occur by their billions today in the credit card market et cetera—that there should be a more immediate settlement of levy fees paid and allocation of what are called voting entitlements.

I want to introduce that topic because, obviously, upon the payment of levies a levy payer—a producer—then has certain entitlements to vote on where research, development and marketing funds are allocated. We also said that this should be the subject of independent auditing and verification, which at that time it was not. We did recommend, and it was perhaps a bit unique to the grass-fed beef industry, that there should be an amendment to the Primary Industries (Excise) Levies Act so that levies paid by beef processors—in other words, those who are involved in the processing of the product from the live animal through to the product available for retail—should be separated, and recognised as being separated, as slaughter levies and not as producer levies. This was somewhat unique to that industry but, nevertheless, vitally important. Why was it important? Because there was a concern that processors, as a result of the dollars involved in their component of levy collection, had an unfair benefit over producers in terms of how levies were allocated and the purposes for which research and development was undertaken.

During that inquiry we recommended—as I recall, it was again unanimous with the support of my own side and of my colleagues from the Labor Party, Senators Sterle and Gallacher—that the Australian National Audit Office should conduct an audit of the cattle transaction levy scheme, tracing the levy from inception and focusing on revenue through to expenditure and the respective components—research, development and marketing.

The final recommendation that is relevant to our discussion this evening involves drawing on international experience. The fear was raised continually by producers that there was no transparency in the supply chain from the calf through to the retail plate, so our final recommendation was that the Department of Agriculture, in consultation with the cattle industry, should conduct an analysis of the benefits, costs and consequences of introducing American legislation akin to the US Packers and Stockyards Act of 1921 and the Livestock Mandatory Price Reporting Act of 1999. What does this legislation do in the USA? Basically, it allows a scenario in which those involved in production, processing, transportation, marketing and retailing have a greater degree of transparency on where the funds come from and what the fate of the funds is. I am pleased to see that my colleague Senator Reynolds is now in the chamber, because she was instrumental in the original Senate inquiry being undertaken, which has led to the Primary Industries Levies and Charges Collection Amendment Bill 2016.

I now turn to the speech given this evening—or at least a small part of it, since it was so long—by Senator Hinch. Where is the relevance? The relevance involves the beef industry and the grass-fed levies. When we went around Australia—Senator Whish-Wilson, as I recall, was a participant in Broome and in Tennant Creek, but I do not recall if he was there in Rockhampton—it was the first time since 2011, when that shocking ban on the live export
trade was visited upon the beef industry of this country, that the beef producers had their
country. I want to reflect on it this
evening because, while there are some elements of what Senator Hinch said tonight with
which I agree, let me tell you this, and let me place it very firmly on record: it is obvious that
Senator Hinch has no understanding of the live export trade in this country at all—whether it
involves sheep or beef. He mentioned the names of people who I do not mention anymore,
because I am under legal recourse to not mention their names anymore. But the time will
come when I will speak to Senator Hinch, and I will explain to him the error of his thinking
when it comes to this industry.

As Senator Whish-Wilson has heard and knows, there are 109 countries in this world that
export live production animals for processing purposes. Senator Hinch, in his little cocoon,
does not know this: there is only one country that has ever invested time or money or
personnel or expertise in the wellbeing and the husbandry and the management and the
transport and the nutrition and the welfare of animals in our target markets, and that country is
Australia. I will not stand by and listen to the nonsense that was visited upon this parliament
this evening by this man, who pretends to think, because he has been on the end of a radio
microphone for some years, he is the voice of all knowledge in this industry. It was the worst
piece of legislation that ever came down in this country. Not only did it affect cattle producers
across the country but it affected transporters, it affected marketers, it affected transport
companies and it affected helicopter companies.

As I have said in this place, does Senator Hinch, if he understands anything about this
industry, think for one minute that the timing of that Four Corners program at the end of May
in 2011 was in any way coincidental, that it coincided with the trough of the revenue side of
that industry and the peak of the expenditure side? Does he not understand that it was a
deliberate effort by a number of people, including the meat industry employees union,
GetUp!, animal activists and others whose only interest was the destruction of an industry and
to get a Prime Minister off the front page?

Let me tell you a little bit more. I know Senator Hinch will not be in the least bit interested,
but let me tell you a little bit of the history. In 2010, Dr Ivan Caple, then or prior to that the
senior honorary veterinarian for the RSPCA in this country, had been commissioned to go to
Indonesia with a highly specialised group to look at issues associated with the processing of
live cattle in Indonesia. He presented that report to the then agriculture minister, Mr Burke.
An officer of Mr Burke's office, a Ms Skye Laris, had been an ABC journalist. Ms Laris
subsequently became the chief of staff to Mr Burke and subsequently his wife.

From the time that Dr Caple produced his report advising that there were some minor
problems associated with the processing of Australian beef in Indonesia but by no means the
nonsense that we saw in that Four Corners cooked up show. That show, incidentally, reminds
me to tell you that the producer, Ms Sarah Ferguson, lied to me under oath six times in a
subsequent Senate inquiry. Let me put that to one side. Ms Laris received the Caple report but
never presented it to the then Minister for Agriculture, Mr Burke. We know that the 2010
election occurred, former Minister Burke went on to other ministries and then Senator Joe
Ludwig became the agriculture minister. Did Ms Laris ever report to new Minister Ludwig
the events associated with the Caple report, reported to Ms Laris? No. Caple was never called
upon to report to any minister of a Labor government. We know the sequel: late May 2011 we had the Four Corners report; early June the ban on the trade took place.

Some days later, on the steps of Martin Place in Sydney, we had a group of people, including animal activists and GetUp!, who stood on those steps to say that they would see the end of the live export trade in this country. Do you know who the representative of GetUp! was on that occasion? It was Ms Skye Laris, the recent chief of staff to the Minister of Agriculture, who had withheld any information from the Caple report from 2010 upon which action could have been taken if they so minded but nothing—no action no nothing. And so we had a circumstance in which the then chief of staff, now a GetUp! aficionado, was proudly telling us all that she had tens of thousands of email addresses to whom she could send this information.

Senator Hinch stands condemned for his lack of knowledge and for the presentation of that information.

Senator REYNOLDS (Western Australia) (20:58): I too rise to speak in support of the Primary Industries Levies and Charges Collection Amendment Bill 2016. I first became involved in the issue of levies shortly after I was sworn into this place. Not coming from a rural background, I first became aware of significant issues in relation to levies after visiting our horticulturalists in the south-west of Western Australia. It soon became very clear to me in talking to the horticulturalists that there were very significant and very profound flaws and issues with the current levy system as is stood and as it still stands today.

In conjunction with my colleague Senator Leyonhjelm and other senators, I co-sponsored an inquiry to investigate compulsory marketing and research levies faced by growers in Australia's $50 billion agricultural industry. Under the current research and development corporation model, primary producers are required to pay an annual fee to bodies which carry out research and development in their specific commodity industry. Research and development feeds into agricultural productivity and into our economy. Collective investment by producers into research absolutely makes sense, but I came to the belief very quickly and very early on in this place that a lot needed to be done to make the system more effective for growers and for the organisations themselves, and that there was very little transparency or accountability in the whole system.

The inquiry was designed to enable all sides to have their say on the operation of the levy system as it stood and to provide suggestions on how it could be improved. I was quite stunned by a lot of the evidence I heard through the inquiry over the course of 2014 and into 2015. One of the first observations that I had was around the overwhelming evidence from across commodities and growers and organisations: if somebody had tried to design a worse system I do not think they could have succeeded in making one any worse than the one that we found in this inquiry.

One of the things that particularly alarmed me throughout the inquiry and on reviewing the submissions, was that there was almost zero accountability across many of the commodity levies. You have the growers across the 60, 70 or 80 different commodities. They all have a completely different levy payment system which is calculated and paid differently. Sometimes there are intermediaries and brokers. There is very little accountability across all of those different commodity systems in terms of who has paid, how much they have paid,
whether they have paid the right amount and whether the right amount has actually gone through to the department.

But it was actually a lot worse than that. What we found in this inquiry was that there was, in some commodities, almost no accountability whatsoever between the growers who paid the various levies and the people who spent the levies on marketing and research activities. These organisations were happily spending the money, sometimes on very laudable projects, and doing their annual reports—nice glossy reports that showed that they were doing a lot of things, sometimes over and over again—but a number of organisations had very little accountability to the growers who paid the levies. This was particularly so in a number of commodities in Western Australia. For example, with avocados and other commodities, we had a lot of evidence where they were paying the lion's share of the levies but little, if any, of the marketing and, particularly, the R&D money was actually going into the particular circumstances of growing avocados and other commodities in Western Australia.

One of the first things in the report was that this issue of accountability needed to be fixed. Hundreds of millions of dollars are paid every year by Western Australian farmers, by growers across all commodities, but few of them actually have any idea or any say into where their money is going and, across many commodities, many of them do not ever see any tangible benefit for the money they are paying. Indeed, many of them have had no confirmation that the money they pay actually goes to where it is supposed to go. We had many stories of money disappearing among intermediaries and elsewhere. It is clearly a system that is badly in need not only of accountability and transparency but also of reporting back to the growers whose money is being paid to those levies.

I am very happy to rise to speak tonight on this bill because, while it does not yet address all of the recommendations that the Senate inquiry made, it is certainly a fantastic first start. What does this bill actually do? The bill reintroduces a bill which was presented to the previous parliament and which passed the House with bipartisan support. This bill was supported by a Senate committee inquiry but, unfortunately, did not pass through this chamber before parliament was dissolved. The bill amends the Primary Industries Levy and Charges Collection Act 1991 and allows for the creation of levy payer registers and for the distribution of levy payer information to rural R&D corporations. Again, it is a great first step in the process of providing accountability and transparency between the growers who pay the levies and those who spend the money.

Currently, levy payer information is only distributed to the RDCs for two commodities: Australian Wool Innovation and Dairy Australia. This bill enables that information to go to all 13 RDCs. This bill is the first step. RDCs will then need to talk with industry and decide whether to fund the development of a register. They will need to apply to the minister for approval and they will need to work with the department on the design of the system so that it meets the department's requirements. The Department of Agriculture and Water Resources is already talking to those RDCs and to industry on what they need to do to collect the data efficiently. Once all of those details are settled, the government will amend the regulations to formally mandate the collection of the data.

This bill also enables the secretary of the department to agree to provide levy payer register information to industry representative bodies, such as the Cattle Council of Australia and Grain Producers Australia et cetera—for example, for the purposes of consulting with all levy
payers on R&D priorities and levies. So these organisations, the RDCs spending the money, will be able to go back and consult the growers, the people whose interests they are there to look after and to do research behalf of. They will be able to ask growers: what do you actually want and what you actually need? It is quite astounding that this system has been in place for so long and we still do not have those basic accountability and transparency mechanisms, so this bill is a very good thing.

Why is the bill needed? The bill makes it possible for RDCs to identify and connect directly with primary producers, who, after all, fund their work, pay their bills and employ their staff. Numerous reviews and inquiries have identified improved consultation with levy payers as important, if not critical, for the ongoing strength of Australia's rural R&D system. Several of these inquiries recommended establishing levy payer registers as a way for RDCs to consult more effectively with the primary producers, who, as I said, pay their wages.

The government agrees that levy payers should have more of a say in how their levy funds are spent. In fact, personally, I think they should have more than just say; it should be up to them how their money is spent in their own commodity industries. Levy payer registers will provide RDCs with the ability to identify and consult directly with levy payers on research priorities and levy expenditure and to accurately and efficiently allocate voting entitlements where useful. Again, I think it is critically important for all of the RDCs to look at allocating voting entitlements so that their growers actually have a fair say in the operations of the RDCs. As it currently stands, the legislation does not allow for levy payer information to be distributed by the department to RDCs where they have collected it, as I said, with the exception of two industries—the wool and the dairy industries. This bill remedies this situation by making it possible to provide the information to the other 13 RDCs.

What more does this bill do? The bill amends the Primary Industries Levies and Charges Collection Act 1991 to allow the department to distribute levy and charge payer information to all RDCs. The information that will be provided includes the name, the address, the contact details and the ABN of levy and charge payers as well as the amounts of the levy or charges paid. The bill also allows levy payers' information to be used by the ABS in performing its functions. This is consistent with the Australian government's Public data policy statement, which commits to securely sharing data between Australian government entities to improve efficiencies and inform policy development and decision making. The bill also allows the Secretary of the Department of Agriculture and Water Resources to approve the disclosure of information by an RDC under limited circumstances also to a third party, such as to a ballot provider for a levy vote, for example.

The bill in and of itself does not create levy payer registers. The distribution of levy payer information to an RDC for a levy payer register will only occur where the RDC makes that decision in consultation with industry. As I said, the department has already started consulting with RDCs, which is a very welcome development. It is also consulting now with industry representative bodies and levy collection agents on their requirements, such as IT systems and other administrative matters. Once the department understands the system requirements there will be subsequent amendments to the regulations under the bill to formally mandate the collection of this data.

How is this of benefit to the RDCs? When we went through this inquiry it almost did my head in and bogged my brain to think that most RDCs did not have a list of their levy payers
or any access at all to their contact details. Just think about that in any private company when you have shareholders or somebody who has invested their money and you do not even know who is paying the money, and you certainly have no accountability to get back to them to advise them how their money is being spent and to consult. The fact that most RDCs did not have a comprehensive list of their levy payers was a real surprise and not a very welcome one.

Access to levy payer information will provide RDCs with the ability to identify and consult directly with levy payers. Again, when we are talking about levy payers, we are talking about farmers; we are talking about those primary producers around the country who are spending a lot of money—some of it is quite significant margins—on these levies and who really have never had a say in how that money gets spent. Through greater levy payer engagement, RDCs will be able to better align research investments to industry priorities. As I said, the bill allows levy payer information to be used by the ABS, which again is also a welcome change.

In relation to privacy considerations, obviously the logical question is: who will have access to this information and how will the information be used? I can assure the Senate that the government is committed to upholding the highest possible standards of security and privacy for individual and commercial confidentiality. The bill provides for levy payer information to be disclosed to and used by the RDC and by the ABS. The use of personal information is of course subject to the relevant privacy legislation, including the Australian Privacy Principles.

The bill also limits the purpose to which levy payer information can be used: to maintain levy payer registrations, to maintain a register of eligible voters for polls that are conducted by the RDC, to publish statistical information, and to fulfil the RDC’s functions under its funding agreement with the Commonwealth. Further protections include the fact that the bill does not allow for disclosure of levy payer information by an RDC or by the ABS to a third party, except where approved directly by the Secretary of the Department of Agriculture and Water Resources in writing. This is to protect the integrity and security of levy and charge payers for personal information. This measure will allow RDCs to employ the services of an information technology company for data management and allow an industry representative body to consult with industry on a levy proposal, as one example.

Where an RDC is permitted to disclose levy payer information to a third party, that person or body may only use the information for activities relating to research and development, to marketing, to biosecurity and to the National Residue Survey or other activities of the RDC that directly benefit the producers, the farmers of this country. It will not be compulsory for the RDCs to set up these levy payer registers, although after going through the inquiry and hearing the overwhelming weight of evidence, it is my personal and very sincere hope that all the RDCs do set up these levy registers and do ensure they have contact with all growers who pay their levies—and not just have contact with those growers but also consult and engage and give them the voting rights in the organisation.

Levy payer registers will only be established when an RDC, in consultation with industry, chooses to fund the development of the register and puts a request to the minister and the request is approved. As I said, I hope that all RDCs embrace this process, not only because it is the right thing to do by the growers who pay the levies but also because it is simply good governance. It is not just grower money; it is also funded by the Australian taxpayer. Where
this money is spent should be clearly transparent and be able to be seen by those who pay it, including the Commonwealth.

There are, however, a number of steps in the process, and it is expected to take some time for each levy payer register to be established. Levy payer data is not currently collected by the department, except, as I said, in the wool and dairy industries.

So, while it is a good thing that some RDCs have expressed an interest in establishing this register, the department's advice is that it might take them some time to build this register and also do it in a staggered approach, industry by industry. Developing a fit-for-purpose, cost-effective system to deliver levy payer information is, unquestionably, a complex process, simply because it is such a mess. Every single one of these commodities has different processes; they have different procedures, different methods of payment, different rates of payment—I think the colloquial way to put it is that it is a complete shemozzle. So it is not surprising that it will take the department some time to work through, commodity by commodity, with each of the RDCs. But they have to start somewhere, and I think this is a great start—developing a new, fit-for-purpose system.

The bill has no financial implications, and the bill does allow the Department of Agriculture and Water Resources to provide this payment information. The bill does not alter existing arrangements currently in place for the collection and distribution of levy payment information to Dairy Australia and to Australian Wool Innovation.

The bill will also allow the secretary of the department to approve the disclosure of levy payer information by an RDC to a third party, such as an industry representative body. But the department is also developing guidelines under which that will be able to occur.

Again, inquiry after inquiry has made similar recommendations—that these reforms need to occur. Extensive consultation on the agricultural levy system was undertaken by the Senate rural and regional affairs committee in, as I said, the inquiry that I cosponsored in 2014 that reported in 2015. The committee itself received 151 submissions, and we held seven public hearings across Canberra, Sydney, Melbourne and Perth. As I said, the evidence to these inquiries was consistent, and overwhelmingly damning of the current system. Few, if any, of the people who made submissions were saying that levies should not be paid for marketing and for R&D, but it all boiled down to making the system transparent, to making it sensible, and to making sure that the money spent by Australian taxpayers and the money spent by growers was actually going to give some benefit and that they had a say in the process.

In conclusion, the bill will help allow levy payers to have more of a say in how their levies are spent. That is an overwhelmingly good thing, because it is not just growers, as I have said, but also Australian taxpayers who put hundreds of millions of dollars into these organisations every year. If the bill is not passed, an opportunity to improve consultation between RDCs, levy payers and the department will be lost.

I am also very happy to see that the bill is compatible with human rights. The measures proposed in the bill are consistent with the right to protection against arbitrary and unlawful interference with privacy, and I commend this bill to the Senate.

Senator HUME (Victoria) (21:18): I rise tonight to speak on the Primary Industries Levies and Charges Collection Amendment Bill 2016. Australia's rural industries are among the most innovative and productive in the world. Continued investment in rural research and
development, or R&D, is vital to ensure the ongoing growth of and improvement in the profitability and competitiveness of Australia's agriculture, fisheries, forestry and food sectors. In recognition of this, the Australian government works with industry to coinvest in research through our world-leading rural R&D system. Much of this work is delivered through the 15 rural research and development corporations, the RDCs, of which we have heard much this evening. The RDCs provide a mechanism for industry to come together and invest collectively in research and development.

The government assists by establishing and collecting a levy on behalf of an industry, if an industry requests this. The government also matches an RDC's eligible R&D spending, up to a legislated cap. It is estimated that, for every dollar that the government invests in rural R&D, farmers generate a $12 return over 10 years. Feedback from primary producers is an integral part of how RDCs work. RDCs are required to consult with industry on their activities and to give those who fund the research via levies an opportunity to provide input into the strategic direction of the corporation. Agriculture levies and charges are imposed on primary producers by government, at the request of industry, to collectively fund R&D, marketing, biosecurity and residue testing programs. The levy system enables agricultural sectors to respond to industry needs and to help maintain and strengthen their position in highly competitive world markets through resource-sharing and cooperation.

This bill allows for the distribution of levy payer information to rural research and development corporations, or RDCs, for the development of levy payers' registers. As it stands, the legislation at the moment only permits the distribution of levy payer information to RDCs in the wool and dairy industries. This bill remedies this by allowing the government to provide levy payer information for the purpose of a levy payers register to the 13 other RDCs. Consistent with the application of the broader R&D levy system, the establishment of levy payer registers will occur, but only when an RDC requests it.

This bill also provides for levy payer information to be distributed to the Australian Bureau of Statistics, the ABS, and to be used by it to perform any of its other functions, and this is consistent with the government's Public Data Policy Statement which commits to securely share data between Australian government entities, to improve efficiencies and inform policy development and decision making. Secondary disclosure of levy payer information by an RDC and the ABS will be limited. The secretary of the Department of Agriculture and Water Resources can approve its disclosure in some circumstances, including, for example, disclosure by an RDC to an industry representative or to an industry representative body for the purpose of consulting on R&D activities conducted by the RDC.

This bill makes it possible for the rural research and development corporations to identify with the primary producers who fund their work and connect directly to them. A number of reviews and inquiries have identified improved consultation with levy payers as vital to the ongoing strength of Australia's rural R&D system. Several of these inquiries have recommended the establishment of a levy payers register as a way for RDCs to consult more effectively with those primary producers that fund them.

The government agrees that the levy payers should have more of a say in how their levy funds are spent. RDCs should know exactly who their levy payers are. Levy payer registers will provide RDCs with the ability to identify and consult directly with those who pay those levies on research priorities and levy expenditure and, then, to accurately and efficiently
allocate voting entitlements where useful. As it currently stands, the legislation does not allow for levy payer information to be distributed by the department to the RDCs where this information is collected, except in two industries: the wool and dairy industries.

The bill addresses this by making it possible for this information to be provided to the other 13 RDCs. The bill amends the Primary Industries Levies and Charges Collection Act 1991 to allow the Department of Agriculture and Water Resources to distribute levy and charge payer information to all of the rural RDCs should they choose to fund the development of a levy payer register. This information includes the names, addresses and contact details as well as the ABN of levy and charge payers and the amount of levy or charge paid. The bill allows levy paid payer information to be used by the ABS in performing its functions. This is consistent, as I said, with the Australian government's public data policy statement, which commits to securely sharing data between Australian government entities to improve efficiencies and inform policy development and decision making.

The bill also allows the secretary of the Department of Agriculture and Water Resources to approve the disclosure of information by an RDC, under limited circumstances, to a third party. The bill in and of itself does not create levy payer registers. That is up to the RDC itself. The distribution of levy payer information to an RDC for a levy payer register will only occur when the RDC makes that decision, in consultation with industry, to fund the development of a register and requests the minister to improve its development.

The department has already started consulting with RDCs as well as industry representative bodies and levy collection agents on their requirements. These might include IT systems that would allow the data to be appropriately collected and distributed. Once these systems are known there will be subsequent amendments to the regulations under this bill that will formally mandate the collection of data.

Most RDCs do not currently have a database of their levy payers or access to their contact details. A comprehensive list of levy payers will provide RDCs with the ability to identify and consult directly with those levy payers on the strategic direction of research activities and other elements of the RDC's functions. Through greater levy payer engagement, those RDCs will be able to better align the research investments they make to industry priorities. This bill allows levy payer information to be used by the ABS in performing its functions and to inform policy development in decision making.

The government is committed to upholding the highest standards of security and privacy for individual and commercial confidentiality. This bill provides for levy payer information to be disclosed and used not just by the RDC or the ABS. The use of personal information, however, is subject to the relevant privacy information, including Australian privacy principles. The bill also limits the purposes for which the levy payer information can be used to maintain levy payer registers, to maintain a register of eligible voters for polls conducted by an RDC, to publish statistical and de-identified information, to fulfil an RDC's function under its funding agreement with the Commonwealth or to fulfil functions of the ABS.

Further, the bill does not allow for disclosure of levy payer information by an RDC or the ABS to a third party, except where approved by the secretary of the Department of Agriculture and Water Resources in writing. This is to protect the integrity and security of levy and charge payers' personal information. Where an RDC is permitted to disclose levy payer information to a third party, that person or body may only use the information for
activities relating to R&D, marketing, biosecurity, the National Residue Survey or other activities of the RDC that benefit producers.

Levy payer registers will only be established where an RDC, in consultation with industry, chooses to fund the development of a levy payer register and puts a request to the minister and that request is then approved. There are a number of steps in the process and it is expected to take some time for each levy payer register to be established. Levy payer data is not currently collected by the department, except in the wool and dairy industries. A number of RDCs have expressed an interest in establishing a levy payer register already. It will not be possible for the department to build them all at the same time and, therefore, we will need a staggered approach.

The department has been and continues to liaise with RDCs, industry representative bodies and levy collection agents on the design and implementation of levy payer registers and the collection of data. The department welcomes early engagement and participating in the design. Developing a fit-for-purpose, cost-effective system to deliver levy payer information to RDCs is a complex process and work has commenced to capture relevant stakeholder requirements. Once the system requirements are known there will be subsequent amendments to the regulations under this bill that will formally mandate the collection of that data. Importantly, this bill has no financial implications at all.

The bill allows the Department of Agriculture and Water Resources to provide levy payer information to an RDC to establish a levy payer register. This will only go ahead, as I have said, where the RDC, in consultation with industry, chooses to fund the development and requests a levy payer register itself and that request is approved by the Minister for Agriculture and Water Resources. Therefore, it is a matter for each RDC, in consultation with industry, to decide to fund the development of a levy payer register itself. In line with the department’s existing approach to the administration, collection and disbursement of levies, this would include cost-recovery arrangements.

The wool and dairy industries, as I have said, already have levy payer registers. This bill does not alter existing arrangements for the collection and distribution of levy payer information to those two industries. The bill amends the Dairy Produce Act 1986 to remove repetition between it and this bill, but it will have no practicable effect on the industries. The department will consult with RDCs and industry representative bodies on the administrative arrangements through which third parties can access levy payer information and assure that any administrative burden is therefore minimised.

This bill also allows for the secretary of the Department of Agriculture and Water Resources to approve the disclosure of levy payer information by an RDC to a third party such as an industry representative body. The department is developing the appropriate guidance that will allow for levy payer information to be made available to third parties in some situations. The department will consult with industry on these arrangements to ensure that they are not overly burdensome but, at the same time, provide for appropriate security, privacy and use of the information.

The government is committed to upholding the highest standards of security and privacy for individual and commercial confidentiality reasons. In some cases, levy payer information will be personal information and it will be governed by the relevant privacy legislation. Levy payer information may also include commercial information which would be subject to
common law obligations. The appropriate guidance being developed by the Department of Agriculture and Water Resources will also set out the expectations for the appropriate use of this data. The department will consult with industry on these arrangements to ensure that they are not overly burdensome but provide for the appropriate security, privacy and use of the information.

Extensive consultation on the agricultural levy system was undertaken by the Senate Rural and Regional Affairs and Transport References Committee in its inquiry into these levies. In conducting its inquiry, the committee received 151 submissions and held seven public hearings across the country—in Canberra, in Sydney, in Melbourne and in Perth. In addition, the Senate Rural and Regional Affairs and Transport Legislation Committee received 35 public submissions on its inquiry into this bill when it was referred to the committee during the previous parliament. The Department of Agriculture and Water Resources has been liaising, and continues to liaise, with RDCs on the design and implementation of levy payer registers.

In conclusion, the passage of this bill is the first key step in allowing for the development of levy payer registers, making it possible for RDCs to identify and connect directly with those who fund their work. Through greater levy payer engagement with the R&D system, RDCs will be able to better align research investments to industry priorities, improving returns to primary producers and contributing to a more profitable, competitive and sustainable agricultural sector. We will now work with the RDCs and industry to make this happen. The government is committed to an Australian R&D system that remains transparent, consultative and delivers tangible benefits to Australia's agricultural industries in the future.

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (21:34): I too rise to speak on the Primary Industries Levies and Charges Collection Amendment Bill 2016 that makes legislative changes to the Primary Industries Levies and Charges Collection Act 1991, which will allow the Department of Agriculture and Water Resources to provide levy and charge payers, which are commonly known as levy payers, information to the rural research and development corporations for the purposes of developing levy payer registers.

As it currently stands, the act only permits the distribution of levy payer information to the wool and dairy RDCs. This bill remedies this by allowing the government to provide levy payer information to the 13 other RDCs. Levy payer registers allow RDCs to identify and consult directly with levy payers who fund the research and development system in Australia, and ensure accuracy in the allocation of voting entitlements. Through greater levy payer engagement in their work, RDCs will be able to better align their research investments to industry priorities, improve returns to farmers, fishers and foresters, and contribute to a more profitable, competitive and sustainable agricultural sector.

The bill removes the legislative impediment to the development of levy payer registers. However, recognising that a one-size-fits-all approach is not appropriate given the diversity of Australia's agricultural sectors, the bill allows for the distribution of levy payer information to an RDC to occur only when an RDC, in consultation with the industry, requests it and that request is approved by the Minister for Agriculture and Water Resources. The bill further allows an authorised person to provide levy payer contact information and details of the levy payer or the levy payable to an eligible recipient. The bill sets out the purposes for which the
information provided to the eligible recipient can be used. The bill also allows the secretary of
the department, via a legislative instrument, to provide further information relating to the
production or processing of a commodity to be given to an eligible recipient, and this will
allow additional industry-specific data which may be collected by the department to be
distributed to the relevant RDCs or to the ABS—such information in relation to reduction,
inputs or production or processing methods used in relation to a particular commodity.

The bill does not permit secondary disclosure of information included in levy payer
registers by an eligible recipient to a third party, except where expressly permitted by the
secretary in writing. The administrative arrangements will enable levy payers to opt out of
receiving information from industry representative bodies, should they choose to do so.

The bill maintains current practices for the distribution of the name and address of the
persons or body that lodges levy returns with the department to the RDC's industry
representative bodies and others. The bill also makes consequential changes to the Australian
repeal similar limitations on the use of levy payers information by the dairy and meat and
livestock RDCs, as these are now captured in section 27B of the bill.

The Australian government believes that the value of research and development to this
nation's profitability is unparalleled anywhere in the world. Australia's position as a world
leader in agricultural production is based on our high quality and world-leading R&D sector.
The purpose of this bill is to deliver better farm gate profitability to our farmers but also our
R&D sector. Because of the position R&D holds within industry, it is also a greater attractor
of co-investment from other sectors to ensure that Australia's R&D sector provides a great
service to our agricultural sector more generally.

As you would be well aware, Acting Deputy President O'Neill, Australia has a very high
standard of living and consequentially the cost of doing business in Australia is a lot higher
than many of the countries for which we compete with our agricultural produce. The cost of
compliance in Australia is very high, our environmental standards are very high and our
occupational health and safety standards are very high. It is for these reasons that we will
never, ever be the cheapest producer in the world. But we can be the best and we are the best
because we have such a highly advanced research and development industry in Australia.

This government invests massively in research and development alongside our industry
sectors with matching dollar for dollar funding. The Abbott Turnbull governments of the last
three years also provided additional research and development funding through the Rural
Research and Development for Profit initiative to ensure that our research and development is
particularly targeted at making sure profitability at the farm gate is its primary purpose.

It is also essential that we deliver what the industry wants. Therefore, the RDCs need to
know what the levy payers want and the only way that they can do that is if they know who
they are. This bill seeks to deliver the ability to directly connect the research and development
corporations in Australia and the levy payers that pay those levies. In the process of doing
this, we will ensure the privacy of that information so that it is only used for positive and
beneficial outcomes.

A further possible benefit of this type of legislation is for use in the event of a biosecurity
incursion. By knowing where our growers are through this levy-payer collection method, we
will be able to better target our responses should we be unlucky enough to have a biosecurity incursion. The other thing that we need to remember is the importance of our clean, green and safe image in maintaining our very important international markets. It is through the constant and diligent use of research, development and innovation that we are able to maintain that image and our competitive advantage in international markets.

The development of the levy-payer register has been identified by a number of reviews and inquiries as being important to strengthening Australia's agricultural sector. The Senate Rural and Regional Affairs and Transport References Committee inquiry into industry structures and systems governing the imposition of and disbursement of marketing and R&D levies in the agricultural sector recommended legislative amendments to allow for the development of levy-payer registers to improve consultation with levy payers and ensure accurate allocation of voting entitlements.

It was quite clear that submitters to the inquiry on this bill welcomed the bill and supported its key elements. A large number of submitters outlined to the committee the many benefits that they believed would arise from the creation of a levy-payer register. Support came from both research and development corporations and peak industry groups. For example, the Council for Rural Research and Development Corporations offered up that the council:

… fully supports the principles of open, transparent and accountable processes for informing and engaging with levy payers. This Bill enables the establishment and use of levy-payer registers which in turn will mean the RDCs can have accurate, up-to-date information about levy payers. The Council supports the Bill being passed.

New South Wales Canegrowers Council and Sunshine Sugar explained how the changes proposed in the bill would benefit the sugar industry. They said:

… the amendments as proposed would allow SRA to better achieve its overall objectives resulting in improved returns to our growers and contribute to a more profitable, competitive and sustainable sugar cane industry in NSW.

Grain Producers Australia described the proposed reforms as a 'key to providing grain producers with a strong link' with research and development. The Grains Research and Development Corporation also indicated its support for the bill.

The Cotton Research and Development Corporation explained that a levy-payer register would:

Strengthen CRDC's capacity to consult with cotton farmers on their R&D priorities, improve the distribution and extension of research results as well as receiving feedback on CRDC's performance.

The Tasmanian Farmers and Graziers Association welcomed the bill, submitting that giving 'RDCs access to producer information will increase the ability of these bodies to distribute information in a more efficient and timely manner'.

The ABS welcomed the bill, observing that it 'has the potential to open up new opportunities for improving the quality and availability of agricultural statistical information for the benefit of both government and industry' and would support the government's public sector data agenda.

The Council for Rural Research and Development Corporations supported the proposal to share information with the ABS, observing that:
High quality statistical information about agricultural production in Australia and the number of active enterprises has also been an issue of concern for some time. Making information available as appropriate to support the functions of the Australian Bureau of Statistics, consistent with the government’s Public Data Policy Statement, is also expected to help improve this situation.

The committee's view was that the changes proposed in the bill would enable research and development corporations to better communicate with all levy payers in a particular industry not just those growers who are members of the RDC. The ABS would also have access to de-identified data. The bill is the first step towards improving the systems governing levies in the agricultural sector.

The committee went on to recommend that the Senate pass the bill and further made the recommendation that the Department of Agriculture and Water Resources continue to consult with research and development corporations and representatives of the agricultural industry as it implements the regulatory and administrative framework associated with measures contained in the bill.

So we stand here today with the unanimous support of the committee that undertook the inquiry into the bill. But this bill is but the first step. The RDCs will now need to talk with their respective industries and we also will be seeking for the RDCs, if they choose to go forward with development of these levy payer registers, to fund the development of those registers. Obviously, once they have made a decision that they see the benefit of being involved with the establishment of a register, they will need to seek the approval of the minister to establish that register. Then, obviously, the Department of Agriculture and Water Resources stands ready to assist the RDCs in the design of a system so that it meets their particular individual requirements as well as achieving the broader agenda of transparency, efficiency and farm gate returns to our primary producers. The department is already out talking with the RDCs and industry about what they need to collect the data efficiently, and once all those details are settled we will amend the regulation to formally mandate the collection of data. The bill also enables the department secretary to agree to provide levy payer register information to industry representative bodies—for example, for the purposes of consulting with levy payers on R&D priorities and the levies themselves.

In addition to the wool and dairy RDCs, this bill will incorporate the following RDCs under the new legislation: the Australian Egg Corporation Limited, the Australian Grape and Wine Authority, the Australian Meat Processor Corporation, Australian Pork Limited, Australian Wool Innovation, the Cotton Research and Development Corporation, Dairy Australia—which currently is already under this particular legislation—Forest and Wood Products Australia, the Fisheries Research and Development Corporation, the Grains Research and Development Corporation, Horticulture Innovation Australia Limited, LiveCorp, Meat & Livestock Australia—which is already under this particular legislation—the Rural Industries Research and Development Corporation and Sugar Research Australia.

Before I close, I acknowledge the support that Senator Leyonhjelm has pledged for this bill. Senator Leyonhjelm has made his views very clear about his lack of support for compulsory levies, but his acknowledgement that if we have these levies in place it is absolutely essential that we are able to communicate with everybody who is paying the levy is noted and greatly appreciated. I also acknowledge the support of the Labor Party for this amendment bill, because they too see the importance of making sure that we ensure the
The greatest level of transparency that we can with the view that we achieve the greatest level of efficiency in our agricultural sector and the best possible returns for our R&D dollar.

The government is committed to an Australian R&D system that is transparent, consultative and delivers tangible benefits to Australian agriculture industries into the future. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator O'Neill) (21:48): As no amendments have been circulated, I shall call the minister to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (21:48): I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

NOTICES

Presentation

Senators Watt and Di Natale to move:
That the provisions of the National Cancer Screening Register Bill 2016 and the National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016 be referred to the Community Affairs Legislation Committee for inquiry and report by 11 October 2016.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator O'Neill) (21:50): It being 9.50, I propose the question:

That the Senate do now adjourn.

Donations to Political Parties

Senator REYNOLDS (Western Australia) (21:49): I rise tonight to speak of one of the more shameful red herrings deployed recently by the ALP. This is Labor's referral to the Auditor-General of supposed donations by Parakeelia to the Liberal Party. It should have been obvious to everybody, particularly to some of the breathlessly credulous commentators on this issue at the time, that the amounts in question were in fact not donations but other receipts—a fundamentally important distinction. So surprise, surprise: today the Audit Office said a preliminary investigation has confirmed that the referred arrangements are completely above board—hardly a surprise. The Audit Office found absolutely no evidence that Parakeelia donated any profits from the sale of Feedback software to the Liberal Party. In fact, the Audit Office found absolutely the opposite. The Audit Office found that the financial transactions reported to the AEC between Parakeelia and the Liberal Party indicated a net cost to the Liberal Party from the years 2000 to 2015. So not only was no money directly going from
Parakeelia to the Liberal Party in net terms; the Liberal Party was actually subsidising the cost of it to Liberal Party members.

So, rather than profiting from Feedback, the Liberal Party has been subsidising it. This very arrangement that Mr Shorten called a scam was actually no scam at all, and in fact it is so typical of the hypocrisy of the Labor Party. The same charge—equally, I must note, without foundation—could have been made about Labor's arrangement whereby money has gone directly from the taxpayer to the Labor Party and, before then, going to Labor's software provider, Magenta Linas. Mr Shorten talked of a scam that the Audit Office has dismissed.

But I now turn to something for which there is evidence in my home state of Western Australia, namely an apparent so called round-robin scam which appear to channel money from Perth Trades Hall to the Labor Party and then from the Western Australian taxpayer to Magenta Linas and then back to Trades Hall. As I said, an apparent round-robin, using Mr Shorten's words, looks like a scam to me. After his comments on Parakeelia, the opposition leader, Bill Shorten, not unreasonably was asked if he could rule out Magenta Linas ever having donated to the Labor Party or any of its subsidiaries.

In answer to this question, Mr Shorten said in part:

The Labor party has no ownership structures at all of Magenta Linas. I don't know every transaction they've had at the state level but what I do know is that the clear difference here is that the Liberal Party—they love a dollar these Liberals.

Let us look at just who really loves the dollars. It is very interesting that Mr Shorten professed ignorance of transactions at a state level, because an examination of electoral returns showed that in 2000-01 Perth Trades Hall made a donation of $431,089 to Labor, and that over five years until 2004-05 Magenta Linas returned a total of $284,978 to Trades Hall. This $284,978 was paid by Magenta Linas to Perth Trades Hall in the form of two unspecified prima facie 'donations', two 'payments' and one 'other receipt'.

The interesting thing is that in October 2000 Magenta Linas, following a tender process, was conditionally accepted to supply, install and support the Electrac electorate information management system for WA ALP members. In 2006, then WA opposition leader in the Legislative Council complained in parliament that the cost to the WA state government of supplying Electrac to Labor members using Magenta Linas was double that of supplying opposition members with an electorate information management system called EMS, after the state Labor government had excluded Parakeelia from the initial tender process.

The WA government awarded and paid Magenta Linas $157,000 per annum for Electrac, which was for the exclusive use of ALP members, but only $80,000 for non-government members to use Consultech's EMS software. I can assure members of the Senate that there were not twice as many ALP members. Were ALP members getting twice the value for their electoral database system? I suspect they were not. In a motion on this matter, the then opposition leader in the Legislative Council, the Hon. Norman Moore, moved on 2 November 2006 the following motion on electoral database systems:

That this house expresses its serious concern at the government’s decision to provide a different and more expensive electorate information management system to each Australian Labor Party state member of Parliament than that provided to all non-ALP members.

He also noted:
In Western Australia, the government provides more money to Labor members of Parliament for their electorate information management system than it provides to non-Labor members. That, to me, is an unsatisfactory state of affairs, in the absence of any explanation to the contrary. Guess what? He never got an answer to that contradiction of why the Labor system was so much more expensive than that provided to non-Labor members.

What makes these particular transactions between Trades Hall, the ALP and Magenta Linas even more concerning is the very close links between WA Labor and the Perth Trades Hall at the time. Bill Johnston was the State Secretary of the ALP in WA from April 2001 until his election to state parliament in September 2008. He was also State Secretary of Perth Trades Hall. As such, he is the person who submitted the return detailing the Perth Trades Hall's donation of $431,089 made on the 17 October 2000, as well as the person who disclosed the same amount as having been received by the ALP in its 2000-01 return to the AEC. He was also the person who on five separate occasions disclosed the receipt by Perth Trades Hall of a total of $284,978 from Magenta Linas, the provider of the ALP's electoral management system.

In light of the above and Mr Shorten's statement that he knew nothing about any state payments, I now call on Mr Shorten to detail all he knows about these transactions at a WA state level. He and the WA Leader of the Opposition, Mark McGowan, must advise the Western Australian taxpayers what the federal and state Labor leaders knew about the transactions between Magenta Linas, Perth Trades Hall and the WA Labor Party. The $431,089 donation from Perth Trades Hall was made about four months before the 2001 state election and would have been of obvious benefit to the state ALP. As we again approach a state election in Western Australia in little over six months, I would hope commentators treat Mr Shorten's statements, such as those he made about Parakeelia, with the scepticism they deserve. Next time he deploys similar red herrings, his claims will be more closely scrutinised.

In conclusion, the Audit Office did not find a shred of evidence that Parakeelia donated any profits from the sale of Feedback software to the Liberal Party. In fact, it was quite the opposite. The Audit Office actually found that the Liberal Party subsidised the provision of this database. The Labor Party in Western Australia now clearly have questions to answer on these matters.

**Broadband**

**Senator O'NEILL** (New South Wales) (21:57): I rise to put some more remarks on the record with regard to the nbn and its disgraceful rollout, frankly, on the Central Coast. The digital divide—the gap between those who have access to the internet and those who can afford to pay for that access and have the ability to use the network—is quite simply a gaping chasm on the Central Coast of New South Wales.

A new report entitled *Measuring Australia's Digital Divide: the Australian Digital Inclusion Index 2016*, which was released last month, outlines the extent of the digital divide in Australia. It makes for very interesting reading. Swinburne University, in partnership with Telstra, have opening comments in the report that simply spell out the challenges that face Australia right now. The Swinburne University digital inclusion index measures access—that is, the ability to connect to the Internet, the frequency of downloads and uploads, and data allowance; affordability—that is, the share of household income spent on internet access; and
ability—that is, the basic skills needed to use the internet and the subsequent confidence, attitudes and activities that come with it. It is that complex set of interplay of the capacity of the machinery itself and the person's capacity.

I am very sad to report that Gosford has the lowest score of all the main regional communities in Australia. It is seventh behind the Gold Coast, Wollongong, Newcastle, Geelong, Townsville and Cairns. In New South Wales it is almost 10 points lower on the scale than Sydney and Wollongong. The Central Coast has certainly been left far behind, as far as broadband is concerned. We may have beautiful beaches and, indeed, an idyllic lifestyle for many on the Central Coast, but we are being left behind in the digital age and it is having an impact. There are no jobs and there is no growth under this Liberal government.

The Liberal Party has no interest in facilitating the advancement of technology based businesses in Gosford and no interest for the students who need the web for their studies. Students who rely on the internet for study are being locked out of the network by slow speeds and a clogged copper system that cannot handle the volume of users at peak times, and these are often the times that students want to study. I have students after student and family after family reporting to me that students come home, they start their homework—and for some families it can be quite a process in itself to get the kids to get into the homework—and the whole speed of the internet that is being delivered by the fake NBN, which they have been forced to take up, is just crashing and people are not able to get their work done. For the Liberals the Central Coast is a live experiment when it comes to technology which big cities can take for granted.

It could have been a lot different and it should have been a lot different. Under the previous Labor government, the Central Coast was earmarked for the real national broadband network—fibre to your home or to your business with speeds and capacities that would have put Australia at the top in the world for internet access. Indeed, Labor did begin rolling out the NBN on the Central Coast—in Gosford, East Gosford and West Gosford. When the then communications minister Malcolm Turnbull and the Liberals were elected, however, they immediately stopped construction on the Central Coast of the information superhighway. Fibre to the premises was put away, and instead people have a goat track in its place: the fibre to the node copper network. It is an absolute disaster, and let's not forget Malcolm promised us the Liberals' NBN would be faster—

The PRESIDENT: Mr Turnbull.

Senator O'NEILL: Mr Turnbull promised it would be 'faster, sooner and cheaper'. Well, that is absolutely not the case. The fibre to the node network continues to use the redundant copper wire system has proved to reveal the mistakes of his past that are becoming more apparent by the day to Australians..

The MTM is supposed to stand for a multitechnology mix but has been called by some in Wagga a spider web, something loosely held together and already blowing in the wind. I think the MTM actually stands for 'Malcolm Turnbull's Mess'. The MTM is taking twice as long at twice the price, and if you finally get a connection and, believe me, it is not easy to do. I have moved recently and I can tell you it is a long, long wait. My husband has waited three times for visits from Telstra—a total of 12 hours; 12 hours of productivity cut away from his life while waiting for Telstra to show up. On three occasions they promised, but still no NBN. It is an absolute nightmare.
A fast, reliable internet connection is vital for regions in Australia where you have the chance of a level playing field for small businesses, particularly for those competing in global markets. Many of the digital businesses in the creative industries, which are potential growth industries on the Central Coast, are being stymied in their growth because of a failure of Mr Turnbull to see the NBN as an investment rather than a cost. A fast, reliable internet connection is vital. It enables telemedicine and other advances that are especially important for older people living in remote and isolated areas. The same goes for education. Ten years ago, federal Labor recognised the growing frustration of the community due to this lack of broadband access. That is why we instituted the fibre to the home NBN, but it has been resisted by the coalition at every turn.

My office has been inundated with complaints from people across the Central Coast about line dropouts, total internet blackouts at peak times, slow speeds and a lack of service from the NBN Co. and internet service providers. I went to a tile shop recently and I asked them how their new NBN connection was going. They said, 'We are in the middle of doing our business and the line is dropping out multiple times an hour. Give us back our old ADSL.' But they are not allowed to have that now, because the NBN has been rolled out, and Mr Turnbull is telling you what can and cannot have. That business has been saddled with completely inefficient access to the marketplace. I was recently speaking to people from a cleaning company, and for eight weeks they have been without the internet. They have not been able to send out their invoices, and that is a massive threat to small business. The Liberal Party constantly claims they are the friends of small business, yet this is the result of their decision making. Mr Turnbull said it was going to cost $29.5 million. Now the great money manager has blown it out to $54 billion for the dog's breakfast of a rollout that we have. It is a disgrace; it is a waste and a great shame.

The Swinburne report finds that it is regional Australia that is suffering the most from Mr Turnbull's mess. While the state's ADI scores were 54.9, which is considered to be a medium score and slightly above the national average of 54.5, Gosford came in at a low 48.7 and the Hunter region was the worst performer with 41.2. The Murray and Murrumbidgee area was next worse with a score of 48.4, while the South Coast got the bronze medal for the worst index score on 48.6. Sydney, where all these policy makers are saying, 'You don't need to worry; fibre to the node will do you,' scored 57.5. It is just not fair; it is not an inclusive society. This is the deliberate construction of an infrastructure spend that is delivering a two-speed society. As the report states:

The data shows that while the digital divide continues to narrow, persistent and significant differences remain between different groups of Australian in relation to both access and use of the internet.

Let us talk about Wagga Wagga. The member for Riverina is Mr Michael McCormack, who is also the Minister for Small Business. The Murray-Murrumbidgee has a score of 48.4, and the analysis rates a score under 50 as very low. Mr McCormack must make it a priority to take this matter to Mr Turnbull and fix up what is a terrible problem emerging in that area. Dr Schirmer of the University of Canberra said their survey showed that farmers were being told to adopt new internet-based technology to improve their production and efficiency, but their internet simply is not good enough to allow them to do that. He said:

'I've had farmers ringing me up saying I've bought this piece of equipment for $500,000 and to get the best out of it I need decent internet and I don't have that…'
We know that in the seat of Riverina, represented by Mr McCormack, we have a community that wants to use new technologies, that needs to use new technologies, to improve productivity, grow jobs and advance the economy of the Riverina. Instead, as we know, Australia is falling behind.

A World Economic Forum communique indicates that millions of Australians are living without internet access, and has recorded Australia, to our shame, as the lowest scoring country in the category of affordability for internet access. We were once leading into the digital age—now, under the leadership of Mr Turnbull, into the digital Dark Ages.

Senate adjourned at 22:08

DOCUMENTS
Tabling

The following documents were tabled by the Clerk pursuant to statute:


Banking Act 1959—Banking exemption No. 1 of 2016 [F2016L01402].

Civil Aviation Act 1988

Civil Aviation Regulations 1988—Instructions—V.F.R. flights conducted by CGG Aviation (Australia) Pty Ltd—CASA 100/16 [F2016L01407].

Civil Aviation Safety Regulations 1998—Exemption and approval—operating model aircraft (Model Aeronautical Association of Australia Incorporated)—CASA EX138/16 [F2016L01392].


Consular Fees Act 1955—Consular Fees Amendment (Fees and Indexation) Regulation 2016 [F2016L01379].

Crimes Act 1914—Crimes Amendment (Prescribed Schemes and Orders) Regulation 2016 [F2016L01373].


Financial Sector (Collection of Data) (reporting standard) determination No. 22 of 2016—HRS 601.0 Statistical Data by State [F2016L01394].


Higher Education Support Act 2003—

Higher Education Provider Approval No. 3 of 2016 [F2016L01400].

Higher Education Support (Open Training Institute Pty Ltd) VET Provider Approval Revocation 2016 [F2016L01368].


Migration Act 1958—


Migration Amendment (Entrepreneur Visas and Other Measures) Regulation 2016 [F2016L01391].

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Arrangements for Child Visa Applications 2016/051—IMMI 16/051 [F2016L01389].

Arrangements for Resident Return Visa Applications 2016/088—IMMI 16/088 [F2016L01405].

Statements under section 46A—

1 January to 30 June 2016 [33].

1 July to 31 December 2015 [2].

Statements under section 48B—1 January to 30 June 2016 [14].

Statements under section 91L—1 January to 30 June 2016 [2].

Statements under section 91Q—1 January to 30 June 2016 [10].

Statements under section 195A—1 January to 30 June 2016 [93].

Statements under section 197AB—1 January to 30 June 2016 [76].

Statements under section 198AE—1 January to 30 June 2016 [5].

Statements under section 351—1 January to 30 June 2016 [256].

Statements under section 417—

1 January to 30 June 2016 [36].

1 July to 31 December 2015 [1].

National Health Act 1953—

National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2016 (No. 9)—PB 77 of 2016 [F2016L01369].

National Health Regulation 2016 [F2016L01374].

National Health (Weighted average disclosed price—October 2016 reduction day) Amendment Determination 2016 (No. 1)—PB 80 of 2016 [F2016L01381].


Payment Systems (Regulation) Act 1998—

   Revocation of Standards No. 2 Merchant Pricing for Credit Card Purchases [F2016L01371].
   Revocation of The Standard The 'Honour All Cards' Rule in the Visa Debit and Visa Credit Card Systems and the 'No Surcharge' Rule in the Visa Debit System [F2016L01372].

Primary Industries Research and Development Act 1989—Fisheries Research and Development Corporation Amendment (Fishing Levy) Regulation 2016 [F2016L01382].

Private Health Insurance Act 2007—

   Private Health Insurance (Data Provision) Rules 2016 (No. 1) [F2016L01406].
   Private Health Insurance (Prostheses) Rules 2016 (No. 4) [F2016L01386].

Public Governance, Performance and Accountability Act 2013—PGPA Act Determination (Expositions Special Account)—Revocation [F2016L01385].


Taxation Administration Act 1953—

   PAYG Withholding variation for foreign resident capital gains withholding payments—deceased estates and legal personal representatives [F2016L01396].
   Withholding Schedules October 2016 [F2016L01380].

Torres Strait Fisheries Act 1984—

   Torres Strait Fisheries Management Instrument No. 13 [F2016L01393].
   Torres Strait Fisheries Management Instrument No. 14 [F2016L01395].

Tabling

The following documents were tabled pursuant to standing order 61(1) (b):

   [Documents presented since the last sitting of the Senate, pursuant to standing order 166, were authorised for publication on the dates indicated]
   Auditor-General—Audit reports for 2016-17—
   No. 10—Performance audit—Award of funding under the Mobile Black Spot Programme: Department of Communications and the Arts.
   No. 11—Performance audit—Tiger—Army's armed reconnaissance helicopter: Department of Defence.
   No. 12—Performance audit—The design of, and award of funding under, the Living Safe Together grants programme: Attorney-General's Department.
   No. 13—Performance audit—Delivery of health services in onshore immigration detention: Department of Immigration and Border Protection.
   No. 14—Performance audit—Abatement crediting and purchasing under the Emissions Reduction Fund: Clean Energy Regulator.
No. 15—Performance audit—Meeting revenue commitments from compliance measures: Australian Taxation Office.

Court of Disputed Returns—Election petition—Bell v Culleton, received from the Chief Executive and Principal Registrar of the High Court of Australia, dated 1 September 2016 and accompanying letter, dated 8 September 2016.

Entity contracts for 2015-16—Letter of advice pursuant to the order of the Senate of 20 June 2001, as amended—Treasury portfolio. [Received 7 September 2016]

Institutional Responses to Child Sexual Abuse—Royal Commission—Report of case study no. 33—The response of The Salvation Army (Southern Territory) to allegations of child sexual abuse at children's homes that it operated, dated July 2016.

National Health and Medical Research Council (NHMRC)—NHMRC licensing Committee—Report on the operation of the Research Involving Human Embryos Act 2002 for the period 1 September 2015 to 29 February 2016.


Regional Forest Agreement between the Commonwealth and Tasmania—Joint Australian and Tasmanian government response to the Review of the implementation of the Tasmanian Regional Forest Agreement for the period 2007 to 2012, dated April 2016.

Register of Foreign Ownership of Agricultural Land Act 2015—Report of registrations for 2015-16. [Received 7 September 2016]


**Tabling**

The following documents were tabled by the Clerk pursuant to order:

Entity contracts for 2015-16—Letters of advice pursuant to the order of the Senate of 20 June 2001, as amended—

Industry, Innovation and Science portfolio.

Department of Veterans’ Affairs.

Indexed lists of departmental and agency files for the period 1 January to 30 June 2016—Statement of compliance pursuant to the order of the Senate of 30 May 1996, as amended—Communications and the Arts portfolio.