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The Journals for the Senate are available at http://www.aph.gov.au/senate/work/journals/index.htm
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For searching purposes use http://parlinfo.aph.gov.au

SITTING DAYS—2011

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RADIO BROADCASTS
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FORTY-THIRD PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Shane Parry
Temporary Chairs of Committees—Senators Thomas Mark Bishop, Suzanne Kay Boyce, Patricia Margaret Crossin, Mary Jo Fisher, David Julian Fawcett, Helen Evelyn Kroger, Scott Ludlam, Gavin Mark Marshall, Claire Mary Moore and Louise Clare Pratt
Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

Senate Party Leaders and Whips
Leader of the Australian Labor Party—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy
Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party of Australia—Senator Hon. George Henry Brandis SC
Leader of the Nationals—Senator Barnaby Thomas Gerard Joyce
Deputy Leader of the Nationals—Senator Fiona Nash
Leader of the Australian Greens—Senator Robert James Brown
Deputy Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Anne McEwen
Deputy Government Whips—Senators Carol Louise Brown and Helen Beatrice Polley
Chief Opposition Whip—Senator Helen Kroger
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby
The Nationals Whip—Senator John Reginald Williams
Australian Greens Whip—Senator Rachel Mary Siewert

Printed by authority of the Senate
## Members of the Senate

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<tr>
<th>Senator</th>
<th>State or Territory</th>
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<td>Abetz, Hon. Eric</td>
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(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

**PARTY ABBREVIATIONS**


**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing  
Clerk of the House of Representatives—B Wright  
Secretary, Department of Parliamentary Services—A Thompson
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<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
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<tr>
<td>Deputy Prime Minister, Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<tr>
<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
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<tr>
<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM, MP</td>
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<tr>
<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
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<tr>
<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
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<tr>
<td>Minister for Defence and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<tr>
<td>Minister for Immigration and Citizenship</td>
<td>Hon. Chris Bowen MP</td>
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<tr>
<td>Minister for Infrastructure and Transport and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
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<tr>
<td>Minister for Health and Ageing</td>
<td>Hon. Nicola Roxon MP</td>
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<tr>
<td>Minister for Families, Housing, Community Services and Indigenous Affairs</td>
<td>Hon. Jenny Macklin MP</td>
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<tr>
<td>Minister for Sustainability, Environment, Water, Population and Communities</td>
<td>Hon. Tony Burke MP</td>
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<td>Minister for Finance and Deregulation</td>
<td>Senator Hon. Penny Wong</td>
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<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
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<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
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<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
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[The above ministers constitute the cabinet]
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<tr>
<td>Minister for the Arts</td>
<td>Hon. Simon Crean MP</td>
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<tr>
<td>Minister for Social Inclusion</td>
<td>Hon. Tanya Plibersek MP</td>
</tr>
<tr>
<td>Minister for Privacy and Freedom of Information</td>
<td>Hon. Brendan O'Connor MP</td>
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<tr>
<td>Minister for Sport</td>
<td>Senator Hon. Mark Arbib</td>
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<tr>
<td>Special Minister of State for the Public Service and Integrity</td>
<td>Hon. Gary Gray AO, MP</td>
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<tr>
<td>Assistant Treasurer and Minister for Financial Services and Superannuation</td>
<td>Hon. Bill Shorten MP</td>
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<tr>
<td>Minister for Employment Participation and Childcare</td>
<td>Hon. Kate Ellis MP</td>
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<tr>
<td>Minister for Indigenous Employment and Economic Development</td>
<td>Senator Hon. Mark Arbib</td>
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<tr>
<td>Minister for Veterans' Affairs and Minister for Defence Science and Personnel</td>
<td>Hon. Warren Snowdon MP</td>
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<tr>
<td>Minister for Defence Materiel</td>
<td>Hon. Jason Clare MP</td>
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<tr>
<td>Minister for Indigenous Health</td>
<td>Hon. Warren Snowdon MP</td>
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<tr>
<td>Minister Assisting the Prime Minister on Mental Health Reform</td>
<td>Hon. Mark Butler MP</td>
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<td>Hon. Kate Ellis MP</td>
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<td>Minister for Small Business</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister for Home Affairs and Minister for Justice</td>
<td>Hon. Brendan O'Connor MP</td>
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<td>Minister for Human Services</td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Cabinet Secretary</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<td>Parliamentary Secretary to the Treasurer</td>
<td>Hon. David Bradbury QC, MP</td>
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<td>Parliamentary Secretary for School Education and Workplace Relations</td>
<td>Senator Hon. Jacinta Collins</td>
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<td>Senator Hon. Stephen Conroy</td>
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<tr>
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<td>Hon. Justine Elliot MP</td>
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<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>Hon. Richard Marles MP</td>
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<tr>
<td>Parliamentary Secretary for Defence</td>
<td>Senator Hon. David Feeney</td>
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<td>Parliamentary Secretary for Immigration and Multicultural Affairs</td>
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<tr>
<td>Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing</td>
<td>Hon. Catherine King MP</td>
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<td>Parliamentary Secretary for Disabilities and Carers</td>
<td>Senator Hon. Jan McLucas</td>
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<tr>
<td>Parliamentary Secretary for Community Services</td>
<td>Hon. Julie Collins MP</td>
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<tr>
<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Senator Hon. Don Farrell</td>
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<tr>
<td>Minister Assisting on Deregulation and Public Sector Superannuation</td>
<td>Senator Hon. Nick Sherry</td>
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<tr>
<td>Minister Assisting the Attorney-General on Queensland Floods Recovery</td>
<td>Senator Hon. Joe Ludwig</td>
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<tr>
<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
<td>Hon. Dr Mike Kelly AM, MP</td>
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<tr>
<td>Minister Assisting the Minister for Tourism</td>
<td>Senator Hon. Nick Sherry</td>
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<tr>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
<td>Hon. Mark Dreyfus QC, MP</td>
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</table>
SHADOW MINISTRY

Leader of the Opposition
Hon. Tony Abbott MP
Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade
Hon. Julie Bishop MP
Leader of the Nationals and Shadow Minister for Infrastructure and Transport
Hon. Warren Truss MP
Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations
Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts
Senator Hon. George Brandis SC
Shadow Treasurer
Hon. Joe Hockey MP
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
Hon. Christopher Pyne MP
Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals
Senator Hon. Nigel Scullion
Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate
Senator Barnaby Joyce
Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee
Hon. Andrew Robb AO, MP
Shadow Minister for Energy and Resources
Hon. Ian Macfarlane MP
Shadow Minister for Defence
Senator Hon. David Johnston
Shadow Minister for Communications and Broadband
Hon. Malcolm Turnbull MP
Shadow Minister for Health and Ageing
Hon. Peter Dutton MP
Shadow Minister for Families, Housing and Human Services
Hon. Kevin Andrews MP
Shadow Minister for Climate Action, Environment and Heritage
Hon. Greg Hunt MP
Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship
Mr Scott Morrison MP
Shadow Minister for Innovation, Industry and Science
Mrs Sophie Mirabella MP
Shadow Minister for Agriculture and Food Security
Hon. John Cobb MP
Shadow Minister for Small Business, Competition Policy and Consumer Affairs
Hon. Bruce Billson MP

[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Employment Participation
Hon. Sussan Ley MP

Shadow Minister for Justice, Customs and Border Protection
Mr Michael Keenan MP

Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation
Senator Mathias Cormann

Shadow Minister for Childcare and Early Childhood Learning
Hon. Sussan Ley MP

Shadow Minister for Universities and Research
Senator Hon. Brett Mason

Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Indigenous Development and Employment
Senator Marise Payne

Shadow Minister for Regional Development
Hon. Bob Baldwin MP

Shadow Special Minister of State
Hon. Bronwyn Bishop MP

Shadow Minister for COAG
Senator Marise Payne

Shadow Minister for Tourism
Hon. Bob Baldwin MP

Shadow Minister for Defence Science, Technology and Personnel
Mr Stuart Robert MP

Shadow Minister for Veterans’ Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC
Senator Hon. Michael Ronaldson

Shadow Minister for Regional Communications
Mr Luke Hartsuyker MP

Shadow Minister for Ageing and Shadow Minister for Mental Health
Senator Concetta Fierravanti-Wells

Shadow Minister for Seniors
Hon. Bronwyn Bishop MP

Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate
Senator Mitch Fifield

Shadow Minister for Housing
Senator Marise Payne

Chairman, Scrutiny of Government Waste Committee
Mr Jamie Briggs MP

Shadow Cabinet Secretary
Hon. Philip Ruddock MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition
Senator Cory Bernardi

Shadow Parliamentary Secretary for International Development Assistance
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Roads and Regional Transport
Mr Darren Chester MP

Shadow Parliamentary Secretary to the Shadow Attorney-General
Senator Gary Humphries

Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee
Hon. Tony Smith MP

Shadow Parliamentary Secretary for Regional Education
Senator Fiona Nash

Shadow Parliamentary Secretary for Northern and Remote Australia
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Local Government
Mr Don Randall MP

Shadow Parliamentary Secretary for the Murray-Darling Basin
Senator Simon Birmingham

Shadow Parliamentary Secretary for Defence Materiel
Senator Gary Humphries

Shadow Parliamentary Secretary for the Defence Force and Defence Support
Senator Hon. Ian Macdonald
| Shadow Parliamentary Secretary for Primary Healthcare | Dr Andrew Southcott MP |
| Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health | Mr Andrew Laming MP |
| Shadow Parliamentary Secretary for Supporting Families | Senator Cory Bernardi |
| Shadow Parliamentary Secretary for the Status of Women | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Environment | Senator Simon Birmingham |
| Shadow Parliamentary Secretary for Citizenship and Settlement | Hon. Teresa Gambaro MP |
| Shadow Parliamentary Secretary for Immigration | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Innovation, Industry, and Science | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Fisheries and Forestry | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Small Business and Fair Competition | Senator Scott Ryan |
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Tuesday, 11 October 2011

The PRESIDENT (Senator the Hon. John Hogg) took the chair at 12:30, read prayers and made an acknowledgement of country.

COMMITTEES

Environment and Communications References Committee

Legal and Constitutional Affairs References Committee

Meeting

Senator KROGER: by leave—I move:

That—

(a) the Environment and Communications References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 12.35 pm; and

(b) the Legal and Constitutional Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1.45 pm.

Question agreed to.

BILLS

Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010

In Committee

Debate resumed.

The CHAIRMAN: The question before the committee is that subclause 19-67(3) on schedule 1 stand as printed.

Senator MASON (Queensland) (12:32): I will draw the committee's attention to where we are up to. I had asked the Parliamentary Secretary for School Education and Workplace Relations a question in relation to subclause 19-38(4)(f). To remind the parliamentary secretary, my question was whether the phrase 'promoting the health or welfare of students' would prohibit student clubs or organisations from promoting a political cause. For example, it might be argued that the promotion of a carbon tax or a campaign such as Your Rights at Work might be for the welfare of students. So my question is: will subclause 19-38(4)(f), on the promotion of the welfare of students, prohibit the use of student moneys for that purpose?

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations) (12:34): I remind the Senate that, on the last occasion, many questions such as this were canvassed before the Senate. I think the provisions in the clause about the health and welfare of students are fairly obvious as read. The suggestions put forward by the coalition about carbon tax and Work Choices are perhaps among some of their wilder claims about what this bill will do, such as force students into student organisations.

I take this opportunity to thank the senators who have made a contribution during this debate. The bill before the Senate amends the Higher Education Support Act 2003 to bring to an end to the damage that has been done to student services and amenities on university campuses. The bill is an important step in rebuilding key student services while retaining the government's commitment not to return—I stress that—to compulsory student unionism. The bill allows higher education providers to choose to charge a compulsory student services and amenities fee of up to $263 for 2012. Fees will be collected by higher education providers and the providers will be accountable for fee revenue. Contrary to some of the wilder claims that have been made by senators opposite, no student will be required to join a student organisation as a consequence of this bill, and the provisions in the clause that Senator Mason just referred
to are pretty clear on accountability for fee revenue and its collection by higher education providers.

We heard from 17 coalition senators during the second reading stage of the bill. Further to that, six coalition senators have continued to make points during the committee stage. Some of those points have been valid; some have been wilder extensions seeking to make ideological points during the discussion. It is becoming increasingly clear that the coalition's intent is to frustrate and delay consideration of this bill. On each occasion this bill has been before the Senate, we have seen from the coalition its obstructionism aimed at delay. I hope that will not be the occasion this morning. This is not just a theoretical or ideological argument; universities will need time to get systems in place to introduce a fee in time for the 2012 academic year. They will need time to properly consult their student bodies on the proposed uses of the fee. To allow this to occur in a timely way, in a way that is consistent with the policy that the government has outlined and which the universities have relied on and supported, it is important that we bring this debate to a vote. The government's view is that students are entitled to better services when they start university next year.

Over the last fortnight the particular area of student services that was stressed to me was mental health support and counselling and the opportunity to get better support in place for the next student year. After years of ideological opposition by the Liberal Party, it is urgent that this bill be passed. I remind the chamber that on the last occasion that this was before the Senate we had eight hours and 23 minutes of debate on the second reading, including 23 speakers, and a committee discussion of seven speakers.

Senator Mason: I'm just warming up!

Senator JACINTA COLLINS: I would encourage Senator Mason and other senators to consider not frustrating this matter any further.

Senator RYAN (Victoria) (12:38): I have some questions for the parliamentary secretary, but before that I will address some of the points she just raised. The parliamentary secretary claimed that there are accountability measures in this bill. That is not a claim that has been demonstrated. The government has failed to demonstrate this, and that is one of the reasons this debate has gone on. There have been many questions from coalition senators, led by Senator Mason, precisely because the government has failed to answer very basic questions about this legislation.

The government has not explained how this accountability is meant to take place. How on earth is a student going to make the university accountable? They may be a part-time or off-campus student who is not able to access the services that the university chooses to levy the fee for, whether that be the ski lodge at Mount Buller which I have been heckled occasionally for raising—it is an extreme example—whether it be the cafeteria that is closed when they come onto campus at night, or whether it be the sports facilities that are closed when this student is on campus. The truth is that without the ability to withdraw the funding, without the ability to choose the way you spend your money, that accountability does not exist at the student level. The student cannot
withdraw the funding from the university or simply tick a box and say, 'I don't wish to fund those particular services because I can't access them.'

You may not agree with the ideological or philosophical commitment that we on this side have to a user-pays system, the commitment to the fact that we should not be taking money from people based upon a poll tax so that regardless of your ability to pay, regardless of your means, you should be forced to pay for these services equally. We do not levy any other tax in society on that basis, yet the only argument we hear from the government is that somehow these services are so important.

The other question that we have not had answered is about the example we just heard from the parliamentary secretary of mental health. How is this not a responsibility shared by society at large? We do not levy any other group of people involved in a particular activity with a poll tax to say, 'We are going to fund these services for you.' If the government is serious about addressing mental health—and the opposition would welcome the government being serious about this—then why on earth are students not able to access the mental health services that everyone else in the community should be able to access as well?

Senator Mason: They are.

Senator Ryan: As Senator Mason says, they are. So we do not have a rationale for levying a separate poll tax. The parliamentary secretary and the government have not answered how they will protect this money from being misused. While the parliamentary secretary talks about ideology, I can talk about experience, because the experience I had at the University of Melbourne student union in the early 1990s was of money being directed towards a subsidised cafeteria and then the money coming out of that till being used for political activities. In one particular case, it famously paid for legal representation for a group called the Austudy Five who allegedly stormed parliament and broke the Premier's office window. How on earth was it in students' interests for an amenities and services fee to be directed towards the legal representation of those people? It betrays the emptiness of the claim regarding the importance of services like those for mental health.

But I do have a specific question which I am interested in. It is about the operation of the levy to pay back the deferred component of this fee. In my day it was called HECS. We would have a tax component levied essentially at a flat rate upon your taxable income. If a student accumulates a debt for the student assistance component of this fee, is that levied as a separate tax or is it simply added to what I would call a HECS debt? Is it a single levy put on someone's taxable income? My question is: are there two income levies or is it a single income levy?

Senator Hanson-Young (South Australia) (12:43): We are currently still debating Greens amendment (3). I wanted to foreshadow that I will be withdrawing Greens amendments (4) and (5), so if we make a decision on amendment (3) we can then move on.

Senator Jacinta Collins (Victoria—Parliamentary Secretary for School Education and Workplace Relations) (12:43): In response to the new matter that has been raised in this discussion, I can indicate to the senator that it is added to the accumulated HELP debt.

Senator Williams (New South Wales—Nationals Whip in the Senate) (12:44): I have a question to the parliamentary secretary because I have some concerns. The administration will collect this levy—if you wish to call it that, Parliamentary Secretary—of $250 a head. I believe it is
stated that that cannot be used for political purposes. Is it the case that the administration can distribute some of that money to the student union, who may then set up a tuckshop, for example, at the university? Is it the situation that that money can be handed to the student union to establish a business like a tuckshop, a retail outlet or whatever? Can you confirm that is the case?

**Senator JACINTA COLLINS:** I move:

That the question be now put.

Question put.

The committee divided. [12:49]

(The Chairman—Senator Parry)

Ayes..........................37
Noes..........................31
Majority...............6

AYES

Arbib, MV
Bilyk, CL
Bishop, TM
Brown, CL (teller)
Brown, RJ
Cameron, DN
Carr, KJ
Collins, JMA
Conroy, SM
Crossin, P
Di Natale, R
Farrell, D
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Hogg, JJ
Ludlam, S
Ludwig, JW
McEwen, A
Marshall, GM
Milne, C
McLucas, J
Pratt, LC
Moore, CM
Riordan, L
Sherry, NJ
Siewert, R
Singh, LM
Stephens, U
Sterle, G
Thistlethwaite, M
Urquhart, AE
Waters, LJ
Wright, PL
Xenophon, N

NOES

Johnston, D
Kroger, H
Madigan, JJ
McKenzie, B
Payne, MA
Ryan, SM
Williams, JR (teller)

JOYCE, B
Macedo, ID
Mason, B
Parry, S
Ronaldson, M
Scullion, NG

FEENEY, D
Nash, F
Polley, H
Abetz, E
Wong, P
Brandis, GH

PAIRS

Feeney, D
Nash, F
Polley, H
Abetz, E
Wong, P
Brandis, GH

Senator Evans did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to

The CHAIRMAN: The question now is that proposed subsection 19-67(3) on schedule 1 stand as printed.

Question agreed to.

The CHAIRMAN: The question now is that the bill stand as printed.

**Senator MASON** (Queensland) (12:52): We have just seen the gagging of a very important debate. This is a debate that has been fought over for about 35 years. It is a critical debate for the welfare of Australian students. What is really appalling is that the critical questions on the enforcement mechanisms of the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010 have still not been answered. I know the Minister for Employment Participation and Childcare is doing her best, but the questions about how this bill will be enforced by universities and by the department responsible have not been answered. There has not even been an attempt to answer these questions, and the Australian Greens have facilitated this gag. They did it because—I think it was Senator Brandis the other day who said this—they with an
authoritarian shape of mind will do anything to close down debate.

This bill has not been thought through. I asked questions when we kicked off this morning about, in effect, the peace, order and good government of the legislation. The phrase was the 'welfare of students'. That is a very, very broad phrase. The minister was unable to tell the chamber whether that phrase would prohibit the use of money by student organisations for political causes. She could not or would not tell us. We have been asking that question now for days and yet there has been no answer. Senator Williams asked a good question—and, not that I am a good lawyer, in a sense the argument is one about the fruit of a tainted tree or the tainted fruit of a tree—which was this: 'A student operation subsidised by student money makes a profit. How then is that money to be used?' Is that covered by the legislation? In other words, can the profits of a student cafe or bar be used for political purposes? There was no answer to Senator Williams's question. It is a critical question because in effect money can be laundered through student organisations for political purposes. That is a disgrace. That is what I object to about this bill. Clearly, it is an open debate that we are having and there are strong opinions on both sides, but what I really object to is the failure of the government to answer these fundamental questions.

What about the enforcement mechanisms? How will universities enforce this legislation? Specifically, what enforcement mechanisms and penalties are available to universities to enforce this legislation? Guess what: we do not know of any. We do not know what enforcement mechanisms are available to universities—we do not have a clue. This still has not been answered. After days of debate, these fundamental questions about the utility of this bill have not been answered.

It would seem from the debate thus far—and the government is right—that you could not have money spent, for example, on bumper stickers that said 'Vote Labor'. The government is right: that would be a political purpose and would be inappropriate. It could not say 'Vote Liberal'—that is also true. But what would happen if the bumper sticker said 'Put Liberals last'. Under the bill I think that would be all right. What would happen if student money was used to support the carbon tax? Would that be money well spent? We still do not know, and that is why we oppose the authoritarian shape of mind that promotes this sort of legislation. We have no idea. So it is okay to say 'Don't vote Liberal' or 'Don't vote for the coalition', but you cannot under any circumstances say 'Vote Labor' or 'Vote Liberal'. We understand that, but it does not inhibit the scope of the legislation.

We oppose this bill and I will be saying more, I might add, on the third reading. Suffice to say that the reason we take these issues so seriously is that many of us were involved in student politics—I certainly was a long time ago back in the early 1980s—and I will never forget that as a 17-year-old my money was paid to student organisations and then used for the Palestine Liberation Organisation. That is how it was used back in the early 1980s. Somehow, that was okay; that was an expression of student will! There was never any expression of student will. There was never any expression of student will. Only five per cent of people ever voted at the ANU in the early 1980s. The Left got hold of the money and spent it on causes they believed in. The rest of the students—the 95 per cent—would never have supported the PLO. Yet, fundamentally, we still do not know whether this could happen again. We do not know whether, for example, money could be spent on overseas political causes or, indeed, any political issues. Those fundamental questions have not been
answered. We do not know about enforcement mechanisms—we do not know how universities are going to enforce it and we do not even know what the department is going to do to monitor the situation. People might say: 'The coalition is hyperbolic about this. They are trying to filibuster the bill.' But do you know what I think? I think it is a very important issue. I think, as a matter of principle, the idea of forcing young Australians to potentially pay money for political causes that they do not believe in is outrageous. That is why we on this side have never, ever stopped in our opposition to forcing young Australians to pay for political causes they do not believe in. It is worse than that and I will say more on this during the third reading speech in a few minutes.

Australian universities have changed. The demography of Australian universities has changed. It is not like it was just after World War II. Universities are no longer elite institutions. They are not even really mass institutions. They are nearly universal institutions. It is no longer like *Brideshead Revisited*. There are no echoes of that through universities I have worked in. Most students today are older, study part time and do not have the time or the inclination to make use of the services that this lot believe should be paid for by students. What is more, the vast majority of students today are mature-age students. This came as a surprise to me, because things have clearly changed in the 30 years since I was an undergraduate. About two-thirds of students at Australian universities are mature age; they are over 21. That is an enormous change from 30 years ago. It is a huge demographic change in the make-up of the Australian undergraduate population. Even though there are more women, more disadvantaged kids and more people working part time, this lot believe that people should be forced to pay for what the inner-city left-wing activists believe should be the priorities of Australian students. That is what we find so offensive.

The Labor Party say they speak for the disadvantaged. They always claim: 'The coalition do not care about disadvantaged students. The coalition do not speak for kids from the western suburbs of Sydney or Melbourne, or for Indigenous students or indeed for rural or regional students.' The Labor Party say, 'We care.' No, they do not. I can tell you now that the people that benefit from the expenditure of this money will be those people able to take advantage of it, and that will not be the people that work part time. Those kids who are disadvantaged will be working at the local pizza store or the local laundrette, or they will be working as a brickie's labourer or a truck driver. They will not be sitting in student unions collecting their pay cheques and spending money on fashionable left-wing activist causes. They will be working. Apparently the Labor Party speak for Indigenous students. Those kids will be out working. They will not be sitting on university campuses lolling in the bright afterglow of a 21st century *Brideshead Revisited*. That is not going to happen. The
world has changed under the foot of the Left in this country and they do not quite get it.

In a few years 40 per cent of young Australians will be going to university. That is two out of five. The vast majority of them, three-quarters of them, will be working. Two-thirds of them will be studying part time and an increasing number will be studying externally using modern technology. How are they going to take advantage of the great facilities they are going to be forced to pay for? The Labor Party do not care about that. They argue that they speak for the underprivileged. It is the coalition that speak for those students that work part time, the vast majority of whom cannot take advantage of the services that they are expected to pay for. The coalition speak for young Australians that have to work. We speak for them, not this lot. They do not speak for them.

The government are forcing kids that have to work or indeed study part time to pay the bill. We speak for those kids that have no alternative except to work to put themselves through university. What is this lot doing about that? Absolutely nothing. What about kids from rural and regional Australia that have no alternative except to pay their own way? This lot know they do not have access to those services. Australian universities and their make-up have changed under the foot of the Australian Labor Party.

This is an issue I know many people find arcane and perhaps even slightly overbearing at times. But this is such an important issue to the coalition. I want to make this point and I will make it again shortly. This is such a critical issue because none of us on this side of the chamber believe that any student, any young Australian, should have money compulsorily exacted from them and used for purposes they cannot or will not use. As Senator Cormann, Senator Fifield and many of my friends have said in the course of this debate, 'We have no problem—students can spend their money on any political cause they want.' None of us have any objection to that. But they will not spend the money of young Australians on political causes we find distasteful or, in my case, as you will remember, Temporary Chairman, abhorrent. Any of us that went to university over the last 20 or 30 years are so attuned to the potential horrors of this legislation that we cannot allow this bill to go through without a fight. Let me say this, because the government have not answered the legitimate questions that coalition senators have raised: we will be doing everything to monitor how this legislation is implemented and how it is monitored.

Senator XENOPHON (South Australia) (13:07): I rise for two reasons. Firstly, I want to correct the record in relation to the last vote. The division was on whether the question be put. In error, I assumed that it was a vote on an amendment to the legislation, which I supported. I apologise for that. My vote was in error, and I bear the responsibility for that—although I note that it would not have changed the outcome, because as a general principle I am always loath to support what is effectively a guillotine. I do note that this debate has been going for some time—

Senator Cormann: No, it has not.

Senator XENOPHON: No, Senator Cormann. I want to make it clear that my true voting intention was not to support that the question be put in relation to the division, but the outcome would not have been different. Having said that, I still support the government's legislation, for the reasons I outlined in my contribution to the second reading debate. I think it is important to point out that the Howard government, when it
introduced this legislation, did set aside a specific fund—I think it was about $100 million—to make up for the loss of facilities and loss of services. Also, vice-chancellors across the country have expressed dismay about the impact VSU has had on campus facilities. To me, this is a pragmatic way to deal with those problems. It is legislation that I do support. I believe there are sufficient safeguards in it to ensure that it is not abused and that universities have control over it. For those reasons I still support the legislation, but I do want to make it clear that it was not my intention to support a guillotining of the further debate of this bill.

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations) (13:09): I move:

That the question now be put.

The Committee divided. [13:14]

(The Chairman—Senator Parry)

AYES

Arbib, MV
Bilyk, CL
Bishop, TM
Brown, CL (teller)
Collins, JMA
Brown, DN
Crossin, P
Comroy, SM
Farrell, D
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Hogg, JJ
Ludlam, S
Ludwig, JW
Lundy, KA
Marshall, GM
McEwen, A
McLucas, J
Milne, C
Moore, CM
Polley, H
Pratt, LC
Rhiannon, L
Sherry, NJ
Siewert, R
Singh, LM
Stephens, U
Sterle, G
Thistlethwaite, M
Urquhart, AE
Waters, LJ
Wright, PL

NOES

Adams, J
Bernardi, C
Boswell, RLD
Brandis, GH
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Fisher, M
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Payne, MA
Ryan, SM
Xenophon, N

Back, CJ
Birmingham, SJ
Boye, SK
Bushby, DC
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Heffernan, W
Joyce, B
Macdonald, ID
Mason, B
Parry, S
Ronaldson, M
Williams, JR (teller)

PAIRS

Carr, KJ
Abetz, E
Feeney, D
Nash, F
Wong, P
Johnston, D

Senator Evans did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

The CHAIRMAN: The question now is that the bill stand as printed.

Question agreed to.

Bill agreed to.

Bill reported without amendments; report adopted.

Third Reading

Senator JACINTA COLLINS: I move:

That this bill be now read a third time.

Senator MASON (Queensland) (13:17): In my quiet way, I would like to make a further contribution on this important bill, the Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010. Before the apparent sad passage of this bill, I just want to remind senators of what this means for students—in other words, those who are footing the bill. This is a tax on students, forcing them to pay for services
that many will not or cannot use. It will be levied on all students: the rich and the poor; the old and the young; the black and the white; part-time students and full-time students; external students and internal students; men and women—all irrespective of whether they will or are able to access the student services that they are being asked to pay for.

I am not one for technology, I am afraid, but I have been receiving tweets in relation to this bill. I am moving into the 21st century as best I can. I received a tweet from ‘mickthejones’, and he said: 'I'm never on campus. Why should I have to pay for others' entertainment?' I think 'mickthejones' asks a very good question that goes to the heart of this bill. Then there is Mr 'gilalbertson', and he says in his tweet to me: 'If you have to rely on legislated theft for funding, you should probably explore alternative revenue-raising methods'—again, a most appropriate and apposite tweet. I have to say they go to the core of this debate.

This bill is a subsidy for largely middle-class, fashionable, left-of-centre student activists. That is who is being subsidised here. The disadvantaged students that I mentioned in my previous contribution are out working. They are working in the pizza shops, they are working in the laundrettes, they are working in the car lots and they are driving the trucks, while the middle-class, left-of-centre activists are in the union court protesting about causes that most students do not agree with. The only place on earth that these people are popular is on university campuses.

**Senator Ryan:** And they're not that popular there.

**Senator MASON:** And they are not that popular there. Of course, these people expect their interests, their obsessions and their fetishes to be subsidised by other students. Let us face it. And, no doubt, culturally the twin triumphs of the left in the late 20th century, both moral vanity and self-loathing of their own community, also are subsidised by those students who are not middle-class, left-of-centre student activists. Perhaps my friend Senator Hanson-Young thinks I am being a bit naughty in describing these students as left-wing activists, because the Greens would describe them as their base. That is where the Greens get their support from.

What has changed is this, and it is pretty simple: those that sponsor this bill, the government and the Greens, do not understand that the university world has changed almost beyond recognition within one generation, and that is the key point that I cannot stress enough to the Senate. It is no longer *Brideshead Revisited* or *Chariots of Fire*. Changing demography and changing culture mean that most students today simply do not have the time or the inclination, or even the opportunity, to use the services offered. Universities have changed enormously since the mid-1970s—more than 35 years ago—when this debate first took place. Universities today are mainstream; they are not elite. Today's students are older and many more of them study part time and in the evenings due to competing and family commitments. Many more take advantage of the greater flexibility and opportunities that new communications technologies bring to external study.

Despite all that, this lot says that this new type of student should foot the bill for the inner city, middle-class, left-wing activists. This lot says that the people out there—the mature age women raising families and studying part time—should pay for the interests of those activists. I do not accept that; I never have and I never will. The government still assumes that universities are filled with 18- to 22-year-olds who are studying full time on campus.
It is no longer like that. I have visited vice-chancellors on the principal campus of every single university in this country—all 39. There are no echoes of Brideshead Revisited, not any more anyway. As the Bradley review makes clear, in 2007 more than two-thirds of Australia's students were mature age. That fundamentally changes who the potential beneficiaries of these services are. But those mature age students are expected to pay for the services that this lot are ensuring the left-wing, middle-class, inner city activists can and will use. Moreover, full-time students are now considerably less than half of the student population. This is an enormous change since I was at university 30 years ago. Yet the arguments that the Greens and the government raise are still the same—access. These people do not have the time or the inclination to use the services that you are forcing them to pay for.

I accept the government has pushed—and I have said before, about the Prime Minister when she was the Minister for Education, that I believe it was a noble push—to create greater access to and greater equity in tertiary education. I have always given the Prime Minister credit for that. I have given credit to Senator Evans and to my old friend and sparring partner Senator Carr—and they deserve credit for that. But then they expect, despite the enormous change in the demography and the make-up of the student population, all students—all of these new people coming into universities, all of these disadvantaged kids, the Aboriginal kids and the kids from rural and regional Australia—to pay for services that the government know those students cannot use. That is what we fundamentally object to.

As my colleagues have said, eloquently I think, today we live, sadly perhaps, in a credentials culture. Whether that is good or bad, let us face the fact that it is largely the case. Today's students see their higher education much more vocationally than I saw mine. I think that is a fair comment. When I was a student, I studied philosophy and political science because I wanted to enlarge my mind. Perhaps my lecturers failed, but today I think it is a fair point to say that most kids going to Australian universities do it with a vocational outcome much more in mind. Again, that means that those who can make use of the sorts of services available have changed enormously. Yet this lot—the government and the Greens—expect everyone to pay for services that most people, most young Australians, cannot or will not use.

In my own office, three members of my staff study part time. None of them has access to these services. Even if in theory they will have access to these services, they will not be able to use them because they are busy working for me. Again, they are expected to pay for services that they cannot or will not use. That is just not fair. But the government does not care. The government thinks it is okay to ask students who cannot or will not access these services to pay for them. The coalition resolutely says no and never. I again refer to the Bradley review commissioned by the government. On page 49 of her report, Professor Bradley concludes:

In 2006 nearly 71 per cent of full-time domestic undergraduate students reported working during semester

That is 71 per cent in 2006. Over the last five years that has increased to over three-quarters. Three-quarters of Australia’s undergraduate population now work part time. Again, those students have much less access to the services this lot are saying those students should pay for. It is outrageous. Professor Bradley continues:

On average these students were working about 15 hours per week. One in six of the full-time undergraduate students who was working during
the semester were working more than 20 hours per week. I suppose they are supposed to pay for services which, again, they cannot or will not use.

This trend will only continue. More students will be working while they are studying and more will be older. Increasingly students do not have the time to access student services that they are expected by this government to pay for. That is a fundamental issue for the coalition. The government does not understand this. The culture and the demography of Australian universities has changed fundamentally in the last generation. Students at universities have changed. They are older, they are far more mature and they work. They cannot take advantage of these services which they are supposed to pay for. The proponents of this student tax like to use this analogy: they argue that universities or student unions are really akin to local government, that they provide valuable services at the local level and therefore need to tax everyone within their catchment area to pay for those services. That analogy is a farce. Universities are not another tier of government. We have only three tiers as I understand it: federal, state and local. But the government and the Greens seem to believe that it is appropriate for universities to tax the entire population, whether students will use those services or not.

Universities are the only entity outside government with a power to compulsorily extract money from Australians, even in cases where those students will not or cannot use the services provided. As my friend Senator Cormann and his committee that has been doing great work on taxes said, this is not a fee for service. The vast majority of students will not or cannot access these services. It is a tax. Labor and the Greens like the idea of allowing universities to tax students, just like a tier of government, because it is the only level of government where they can still be elected—that is, of course, outside Marrickville Council. That is about it.

To the coalition, the system remains open to political abuse and is devoid of effective enforcement mechanisms. I mentioned this before. The coalition is concerned at the effective enforcement of this legislation. While the bill prohibits universities or any third parties which might receive money from spending it in support of political parties or political candidates, there is nothing to prevent the money being spent on political campaigns. As my friend Senator Ryan said, political causes are not excluded, or quasi-political organisations per se, whether the students whose money is being spent agree with those purposes or not.

Indeed, while student funded stickers cannot say 'vote Labor' or 'vote Green', under the bill there seems no reason why they cannot say 'put the Liberals last' or 'don't vote Nationals', and so on it goes. Thus, despite repeated questions from the opposition regarding the meaning of the provisions of section 19-38(4)(f)—that is, the provision that will allow the use of money compulsorily extracted from students to promote the welfare of students—it might, for example, then be used to support the carbon tax or promote issues such as Your Rights at Work on the basis that they promote the welfare of students.

I know the minister did her best but there was still no direct answer to that fundamental question after days of debate. What about instances that Senator Williams spoke of where a student-subsidised business makes money and then uses that money for political purposes? In other words, the money is 'washed' first at the student bar and then is used to fund political activities. What about
that? But even with a prohibition on direct support for political parties and candidates, one has to ask: how will the bill be policed? Neither the bill nor guidelines provide any credible enforcement and sanction mechanisms, none at all. The bill merely states that it is up to the universities to ensure that the money is not spent on political parties and candidates, without providing universities with any powers to enforce it. Make no mistake, the opposition will monitor the enforcement and the operation of this bill. Even if the government will not, we will protect the rights of the majority of students.

In the end it comes down to this: there are two groups at play here. First, those who have to pay the fee. Let's call them the unwilling, unhappy givers. There are about one million of them, so let us call them the 'reluctant one million'. Overwhelmingly, they do not want to pay the fee. The second group is the one that gets the money. The first group pays it; the second group gets it. Let's call them the happy and the self-righteous takers. These are the rent seekers. The government and the Greens believe it is just and appropriate that the unwilling and unhappy one million students—those who foot the bill—pay this money to the rent seekers. That, ultimately, is what the government and the Greens say.

Nothing has changed on that side of politics in 110 years of federal parliament and, certainly, nothing in the 35 years of this debate. This is a government, supported by its coalition colleagues the Greens, that believes it is okay that the unwilling and unhappy one million students—those who foot the bill—pay this money to the rent seekers. The government is always on the side of the rent seekers. It has been since Federation and it will be forever after. We now know that. It is always on the side of the rent seekers, always asking someone to pay for their issues, their concerns, their projects, their priorities and their fetishes. That is what that side has been doing for the last 110 years in this nation and it is increasingly pathetic.

Never in the history of Australian politics have so many paid so much to so few for so little. That alone is sufficient for the opposition to maintain the rage and emphatically oppose this bill. We opposed it yesterday; we opposed it today and we will oppose it tomorrow. We will never, ever support this bill.

Senator JACINTA COLLINS: I move:
That the question be now put.

Senator Ian Macdonald: Madam Acting Deputy President, on a point of order: I was clearly on my feet quite a while before the parliamentary secretary rose. I wonder why it is that you have called the person who rose second. This is a debate that I want to contribute to in respect of those universities in regional Australia.

The ACTING DEPUTY PRESIDENT (Senator Stephens): I was observing the courtesies of the chamber, going from one side to the other. That is why I called the parliamentary secretary. The question is that the question be now put.

The Senate divided. [13:41]

(The President–Senator the Hon. JJ Hogg)

Ayes ......................36
Noes ......................29
Majority.................7

AYES
Arbib, MV  Bilyk, CL
Brown, CL (teller)  Brown, RJ
Cameron, DN  Collins, JMA
Conroy, SM  Crossin, P
Di Natale, R  Farrell, D
Faulkner, J  Furner, ML
Gallacher, AM  Hanson-Young, SC
Hogg, JJ  Ludlam, S
Ludwig, JW  Lundy, KA
Marshall, GM  McEwen, A
McLucas, J  Milne, C
Senator Wong did not vote, to compensate for the vacancy caused by the resignation of
Senator Coonan.

Question agreed to.

Bill read a third time.
BUSINESS

Rearrangement

Senator JACINTA COLLINS: I move:

That intervening business be postponed till after consideration of government business order of the day No. 5, Tobacco Plain Packaging Bill 2011 and a related bill.

Question agreed to.

BILLS

Tobacco Plain Packaging Bill 2011

Trade Marks Amendment (Tobacco Plain Packaging) Bill 2011

Second Reading

Debate resumed on the motion:

That these bills be now read a second time.

Senator FIERRAVANTI-WELLS (New South Wales) (13:48): The coalition will be supporting the Tobacco Plain Packaging Bill 2011 but will be opposing the Trademarks Amendment (Tobacco Plain Packaging) Bill 2011. There are about 15,000 tobacco and smoking related deaths in Australia each year and there are many more cases of illness and hospital admission. It is sensible public policy to take action to reduce rates of smoking, as noted by the opposition's support for the Tobacco Plain Packaging Bill. The Trademarks Amendment (Tobacco Plain Packaging) Bill, however, is not written to reduce rates of smoking. By the most generous interpretation it is designed to enable the Minister for Health and Ageing to make regulations with respect to anything related to trademarks. By the least generous interpretation the bill would enable the minister to make regulations significantly contrary to the Trademarks Act 1995. Before I explain the opposition's support for the Tobacco Plain Packaging Bill and its opposition to the Trademarks Amendment (Tobacco Plain Packaging) Bill I must make mention of the Minister for Health and Ageing and her discussion of tobacco plain-packaging legislation.

While not discounting the public health benefits of reducing smoking, Ms Roxon has applied herself with incredible zeal to this task. Unfortunately, the zeal has sat uncomfortably beside the hypocrisy of the health minister. Ms Roxon, it was revealed, had sent a fundraising request to a major tobacco company in 2005, the year after Labor banned tobacco company donations. This was just a year after the then Labor leader, Mark Latham, had banned the party from taking donations from tobacco companies. As recently as June 2011, New South Wales ALP secretary, Sam Dastyari, wrote to the same company, Philip Morris, offering a $5,000 place at a business dialogue and country business forum. It was deceitful of Minister Roxon to tell the public one thing and then do something completely opposite behind the scenes. The minister even failed to front up at the annual committee sessions in the other place to consider the government's budget bills in detail this year. This was obviously so that she could dodge questions about her attempts to solicit funding from the cigarette manufacturer Philip Morris in 2005. Her hypocrisy was to say one thing in public and then do something else.

The Gillard government protected the minister on 15 June when it refused to debate an opposition motion that the minister explained to parliament why she publicly criticised tobacco company donations to political parties but privately sought their financial support. The minister has sought to politicise the issues surrounding plain packaging and tobacco control for her own political gain. The Minister for Health and Ageing has taken the attitude that if you do not agree with her 100 per cent then you must be in the pockets of tobacco companies. She has no proof other than her belief that this is so.
What we now know is her own relationship with big tobacco was much closer and cosier than anyone ever realised. The minister has never fully disclosed the extent to which she was in the pockets of big tobacco. In a ministerial statement on 14 June 2011, Ms Roxon said:

... Big Tobacco will try and pull all sorts of tricks along the way to discredit me, discredit the policy or discredit the Government.

Well, Minister Roxon, the only thing big tobacco did was offer you tickets to the football and the tennis. They did not try to hide the minister's attendance. The minister did all that by herself.

Not everyone has been happy with the minister's stand. In April, on the ABC's *Lateline* program, Ms Roxon said that health warnings and graphic pictures would make up the majority of the olive green packaging. She said:

We've done a lot of research to ensure that we make the cigarette packs as unattractive as possible ...

... ... ...

Apparently dark olive is the least attractive colour - olive green - for any smokers and particularly for young people.

**Senator Chris Evans:** I changed all my suits as a result!

**Senator FIERRAVANTI-WELLS:** I can just see you, Minister Evans, in olive green! The Australian Olive Association was outraged, as was reported by the *Sydney Morning Herald* online, and said the move would 'denigrate their brand and cost them money'. The report said:

Association chief executive Lisa Rowntree has sent a cease-and-desist letter to Health Minister Nicola Roxon, asking her to stop using the term "olive green" and instead adopt the term "drab green".

"Our members are having enough problems countering the flood of imported olive products being dumped in Australia via the large supermarket chains without the government promoting to the community that there is something negative about olive green," the letter says.

Ms Roxon reportedly said:

"I'd be happy to offer an (olive) branch to the association and support their bid for greater publicity."

In her speech to the plenary session of the United Nations High-Level Meeting on Non-Communicable Diseases in New York recently, Minister Roxon extended that olive branch. She told the meeting:

From next year, all tobacco products are sold in Australia will be required to have the same packaging in an unattractive drab dark brown colour.

Here's hoping Cadbury are not offended!

The coalition has a proven track record with regard to tobacco control and reducing the rates of smoking in Australia. It was Robert Menzies who first introduced a voluntary tobacco advertising code for television in 1966. It was the Fraser Liberal government in 1976 that first implemented a ban on the advertising of tobacco products on TV and radio. Dr Wooldridge, in June 1997, announced what at the time was the biggest ever national advertising campaign against smoking, with a federal government spend of $7 million over two years. The Howard government reformed cigarette taxation from a weight basis to a per stick excise in 1999. It was the Howard government and Tony Abbott, as health minister, who introduced the graphic health warnings on tobacco products in 2006. It was the coalition which first proposed an increase in the tobacco excise in 2009, a measure later adopted by the government. The coalition presided over the biggest decline in smoking rates whilst in government, with the prevalence of smoking declining from 21.8 per cent in 1998 to 16.6 per cent of
Australians over the age of 14 by 2007. This was amongst the lowest rates of smoking in the world. The decline in smoking rates in Australia—a fall of 40 per cent for men and 44 per cent for women between 1989 and 2007—was amongst the biggest in the OECD. The fall in smoking rates amongst women was the biggest in the OECD. So any suggestion that the coalition is soft on tobacco companies is just plain nonsense.

There is no silver bullet. There must be a comprehensive tobacco control strategy, and no one measure will work by itself. There have been concerns raised by stakeholders regarding the legality of this proposal, under three different avenues. The first is that it would constitute acquisition of property on other than just terms according to section 51 of the Australian Constitution and that it may violate article 20 of the Agreement on Trade-Related Aspects of Intellectual Property Rights, the TRIPS agreement, which came into effect on 1 January 1995. This is a minimum standards agreement which allows members to provide more extensive protection of intellectual property if they so wish. Members are left free to determine the appropriate method of implementing the provisions of the agreement within their own legal system and practice.

The second is as follows. The TRIPS agreement is an agreement made under the World Trade Organisation and is a multilateral agreement on intellectual property. Article 20 says:
The use of a trademark in the course of trade shall not be unjustifiably encumbered by special requirements …

There is, however, a health exception to the TRIPS agreement, and this is where the legal contention lies—that this legislation may violate the 1993 Australia-Hong Kong investment treaty, and Philip Morris may sue the Commonwealth over plain packaging under the expropriation and investor state dispute settlement provisions of the treaty. This was explained by Deborah Gleeson and David Legge of the School of Public Health and Human Biosciences at La Trobe University. As they wrote in the Conversation on 7 July 2011:

Expropriation, in ordinary usage, means dispossessing property owners of their property. But it has a much broader meaning under trade law.

The government and the minister have on many occasions assured the opposition that the legal advice surrounding their plain packaging proposal is robust and that they are on strong legal ground. The coalition has accepted the government’s assurance regarding this on face value. This is because the government have refused to provide a copy of their legal advice to the opposition. Despite this, proposed section 15 of the Tobacco Plain Packaging Bill provides that this bill would not apply to the extent that it would cause acquisition of property on other than just terms under section 51 of the Australian Constitution. This means that they must have some doubts as to the strength of their legal advice.

There is also a small retailer impact. The government’s consultation with small business retailers over this issue has been lacking. Small retailers are concerned at the way the government’s plain packaging proposal will impact their stock management and at their point of sale, with the difficulties in differentiating between packets that look almost identical.

There are also issues with counterfeit, illicit tobacco. While Australia is generally seen by its peers as a country which has a lower rate of illicit and counterfeit tobacco, there are some concerns that plain packaging may increase this rate. The Australian Customs and Border Protection Service annual report shows that over the past three years it has seized—
Debate interrupted.

QUESTIONS WITHOUT NOTICE
Carbon Pricing

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:00): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. I refer to recent statements from the Prime Minister and the Treasurer pointing out the risks facing the international economy, the significant challenges faced by so many Australian businesses in areas such as manufacturing and retailing and also the need to improve productivity. Given the government's own stated concerns, isn't this the worst possible time to be introducing the world's biggest carbon tax? Can the minister name any other country that has introduced a carbon tax as expensive and far-reaching as the one proposed by this government?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:01): First, on the issue of why now, I make this point: the opposition will always say that, because they have said that before. The reality is that it will never be the right time according to Senator Abetz and those on that side of the chamber. It does not matter what is occurring in the global economy, those on the other side have a very clear position: they do not wish to deal with this economic reform. They do not wish to start to shift the Australian economy towards the clean energy economy of the future; they do not wish to take that responsibility. They do not wish to take responsibility for acting on climate change. They would rather turn their faces away from reform. They would rather run a scare campaign. They would rather simply throw bombs. That is the approach of the opposition. That is the reality.

We on this side of the chamber are very cognisant also of the advice that was provided to Prime Minister Howard and that has consistently been provided to governments by experts, including the Treasury. That advice is simply that the longer we delay the higher will be the costs. We know that, when you are making an economic transition, if you make that transition later rather than earlier you lock more investment in the old economy, which then has to be unwound, rather than direct investment to the new economy, to the clean energy jobs of the future. We know that the coalition will not be responsible on this; they would rather increase costs. They have, in addition to their $70 billion black hole, a policy which is all about slugging Australian taxpayers, Australian households, to fund a reduction in Australia's carbon pollution. It is a policy without economic weight, without any grounding, without any— (Time expired)

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:03): Mr President, I ask a supplementary question. Given that the Treasury assumes that more than half of the foreign carbon credits Australian businesses will be forced to buy will come from Russia and Asia and given that the Australian Crime Commission has just told an international conference on organised fraud that the carbon market is already the subject of organised crime activity, what safeguards is the government putting in place to ensure that these carbon credits are genuine and not fraudulent?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:03): We have previously made very clear that we will ensure that any international offsets which are purchased under our scheme will meet the appropriate standards as provided. We will ensure that there are proper regulatory mechanisms in place. I have to say that the attitude of the
opposition on this issue is one of the most economically irresponsible aspects of their policies at this time. This is an opposition which are seriously saying to Australian business, 'We want to increase the costs of reducing your pollution, because we want to run a scare campaign about international permits.' It is extraordinary. Those liberals on the other side, who believe in trade and open economy, should hang their heads in shame at the sort of rhetoric that is coming out of Mr Abbott's mouth and Senator Abetz.  

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (14:05): Mr President, I ask a further supplementary question. Can the minister name any other nation that has introduced a carbon tax after its Prime Minister and every one of the governing party's members of parliament went to an election promising not to do so?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:05): A carbon price has been in place for some time, as the opposition would know, in Europe. The opposition would also know they went to an election previously promising to put in place a price on carbon, a commitment that was reneged upon by Mr Abbott, Senator Abetz and many others as a result of the leadership change in the Liberal Party. The facts are these: climate change is with us, climate change will worsen, the world will increasingly—

Senator Abetz: Mr President, a point of order on relevance: sessional orders require that the minister be directly relevant to the question asked. The question related to whether the minister could name any other nation that had introduced a carbon tax after its Prime Minister and every one of the governing party's members had gone to an election promising not to do so. Nothing in the minister's answer relates to the question which was asked.

Senator Ludwig: Mr President, Senator Abetz tries to make the point that the minister is not answering the question. In fact, the minister is answering the question and is being directly relevant. That the minister is not answering the question in the way the opposition wants her to answer the question is not a point of order. The minister is being directly relevant to the question being asked.

The PRESIDENT: The minister has 31 seconds remaining to answer the question. There is no point of order at this stage.

Senator WONG: I was asked about international action. I would make the point that Australia's top five trading partners—China, Japan, the US, Korea and India—are implementing or piloting emissions trading schemes, carbon taxes and coal taxes at various governmental levels. China has indicated it will introduce pilot emissions trading schemes in a number of provinces, including the industrial centres of Beijing, Shanghai and Guangdong. The reality is the world is moving and we need to keep up.

Economy

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (14:07): My question is to the Minister for Finance and Deregulation and Minister representing the Treasurer, Senator Wong. Can the minister update the Senate on the latest International Monetary Fund report on the performance of the Australian economy? How does this performance compare to the outlook for the global economy?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:08): I thank the senator for her question. She, like many on this side, actually has an interest in the economy, which puts her in stark contrast to those on the other side. The
IMF, in its article IV report on Australia released last week, stated:

Australia's performance since the onset of the global financial crisis has been enviable.

The fund also forecasts that Australia's economy will grow at 3.3 per cent in 2012, faster than any of the major advanced economies. It also notes we are well positioned to deal with the current global instability.

Senator Cormann: Who left you zero net government debt? Who left you billions of dollars in the Future Fund, in the higher education fund?

Senator Wong: I hear Senator Cormann rabbiting on over there. If he really believes in economic credibility, he might do something about the $70 billion black hole. I read in the papers that he is on the razor gang to find it and they think it is doable. Well, fess up. Tell us where the cuts are. You cannot do it, which is why you want to hide your costings.

The truth—

Senator Cormann: We'll fix up your mess again.

The President: Senator Wong, resume your seat. When there is silence we will proceed. Comments should be addressed to the chair.

Senator Wong: The reality is the economic team on the other side has yet to get its costings right—not once. How embarrassing for a party that prides itself on economic management. There was an $11 billion black hole at the election. There is a $70 billion black hole by their own admission and a shadow Treasurer and a shadow finance minister who are fighting each other. What I would say to Senator Cormann is, if he wants to come in here and beat his chest about economic credibility, I dare him to put forward his costings and his numbers, because he will not be able to, because they have never been able to. (Time expired)

Senator Polley (Tasmania—Deputy Government Whip in the Senate) (14:10): Mr President, I ask a supplementary question. Further to the International Monetary Fund's recognition of the strength of the Australian economy, can the minister inform the Senate if the IMF provided any comment on the approach the government took to keeping Australia out of recession?

Opposition senators interjecting—

The President: When you settle down, we will proceed. If you want to chew up question time this way, it makes it interesting for yourselves but has no interest for anyone else.

Senator Wong (South Australia—Minister for Finance and Deregulation) (14:11): The IMF noted that Australia was:

… one of the few advanced economies to avoid a recession in recent years, reflecting its strong position at the onset of the crisis and a supportive macro policy response.

I like the way in which the opposition conveniently try to forget about the global financial crisis. It is extraordinary, isn't it? It was some sort of hiccup to them. We should not actually have responded! They would have been happy to see hundreds of thousands of Australians put onto the unemployment queues. There were 200,000 jobs saved as a result of the actions of this government and the work of Australian businesses and Australian workers—something about which the country should be proud.

But I would also make this point about the IMF: the IMF has endorsed not only the government's actions during the global financial crisis but the minerals resource rent tax and also pricing carbon. One would have thought the opposition might want to heed that. (Time expired)
Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (14:12): Mr President, I ask a further supplementary question. Can the minister outline for the Senate any comments from the IMF on Australia’s fiscal policy and the impact this has had on the wider economy? Are there any challenges to maintaining the government’s strong fiscal strategy?

Senator Fifield: Hands up those who still support Gillard.

The PRESIDENT: This is not the time for that sort of interjection.

Senator Ian Macdonald interjecting—

The PRESIDENT: If your purpose is to chew up question time, Senator Macdonald, you are achieving it.

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:14): In addition to endorsing the government’s economic plan, the IMF—

Opposition senators interjecting—

The PRESIDENT: Order! When there is silence we will proceed. If you wish to have a chat, you can go outside.

Senator WONG: As I was saying, in addition to endorsing the government’s economic plans, the IMF commented favourably on the government’s determination to bring the budget back to surplus and pointed out that this puts us miles ahead of our peers. Of course, the ability to return to surplus does depend on getting your numbers right. The opposition have yet to get their numbers right. Their $11 billion black hole, found by Treasury and Finance, from which they have never recovered, has now blown out to a $70 billion black hole—

Senator Cormann: You have no credibility.

The PRESIDENT: Senator Cormann, I am losing my patience.

Senator WONG: and their only answer is not to fill it but to hide it, and that is why they are getting set to oppose the Parliamentary Budget Office, which they used to support. It is because they are now the party of budget dishonesty. (Time expired)

Carbon Pricing

Senator CORMANN (Western Australia) (14:16): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Minister Wong. Can the minister explain why the Gillard government continues to claim that domestic emissions will fall as a result of Labor’s carbon tax when the Gillard government’s own modelling shows that CO2 emissions in Australia are expected to go up from 578 million tonnes to 621 million tonnes by 2020, even after imposing billions of dollars in additional taxes?

 Senator WONG (South Australia—Minister for Finance and Deregulation) (14:16): What the senator fails to acknowledge is that, absent policy action, emissions will rise. Absent policy action, Australia’s contribution to climate change will worsen. It is a simple logical fact that if we do not do anything our contribution to climate change will worsen. If we do not put in place policies to reduce them then emissions will continue to climb. In the absence of a carbon price Australia’s carbon pollution in 2020 is expected to be more than 20 per cent above 2000 levels. To achieve what is a bipartisan five per cent reduction target, Australia will need to reduce carbon pollution by about 159 million tonnes. That is about 25 per cent off business as usual. By 2050 carbon pricing is expected to reduce our domestic emissions by 485 megatonnes to nearly half what they would be without a carbon price reduction.

The difference between the government’s plan and the plan Senator Cormann presumably supports is that his plan is more
expensive. Senator Cormann should explain a couple of things. Firstly, why does he think that it is a good idea to tax Australian households, working families, in order to pay polluters for a policy that will not achieve an environmental outcome? In the same way, why does he not want mining companies to pay a tax they are willing to pay but wants manufacturers and small businesses to pay more? This is an opposition that has no logic and no rationale to their policies. They simply oppose everything and run scare campaigns. The difference between the government's policy and the opposition's policy—I say it again—is that our policy will cost Australians less. Their policies will cost Australians more. *(Time expired)*

**Senator CORMANN** (Western Australia) (14:18): Mr President, I have a supplementary question. Given that the Gillard government—and Minister Wong just now—are claiming that CO₂ emissions will fall, even though they are expected to increase, on the basis, if I understood the minister correctly, that emissions will be lower than they otherwise would be, will the Gillard government also accept that real wages will fall because they also will be lower than they otherwise would be?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:19): This is the sort of inverted logic we get from the opposition. I accept the Treasury advice, which is that we can put a price on carbon, grow our economy and continue to grow incomes at the same time as we reduce our pollution. These might not be propositions that the opposition wish to countenance, but they are the advice of Treasury. The reality is that the opposition also say they want to reduce pollution. That is what they say. Their policy is simple: 'We will tax Australian households more, we will take $1,300 a year off Australian families, we will give it to polluters and we hope that might do something.' This is not a policy with any economic credibility whatsoever, which is why no economist supports it. *(Time expired)*

**Senator CORMANN** (Western Australia) (14:20): Mr President, I ask a further supplementary question. Can the minister then explain why the government are so intent on pressing ahead with the carbon tax (1) they promised not to introduce and (2) which will cost jobs and will result in lower real wages while CO₂ emissions in Australia and overseas continue to go up and up?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:20): We will introduce a carbon price because it is the right thing to do for the economy and for the environment. We know from the Treasury modelling that jobs will grow strongly under a carbon price, so the senator is wrong. National employment is expected to increase by 1.6 million jobs by 2020. Incomes will grow strongly under a carbon price, rising by about $9,000 in today's terms by 2020. Domestic emissions under carbon pricing will fall to nearly half what they would be without carbon pricing by 2050. In other words, Senator Cormann's question is full of falsehoods. The reality is that the reason the opposition want to say those things—things which they know not to be true—is that they simply do not want to engage in any real reform. They simply want a scare campaign. We will proceed with this reform. It is the right thing for the economy and for the environment. *(Time expired)*

**Carbon Pricing**

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (14:21): My question is also to Senator Wong in her capacity as Minister representing the Minister for Climate Change and Energy Efficiency. Is Mr Dick Warburton, the Chairman of Manufacturing Australia, also
the climate adviser to Mr Abbott, the honourable Leader of the Opposition? As Mr Warburton said that he is now focused on the federal government's carbon tax and lobbying to delay that tax, is this the same Mr Warburton who, in 2009, said:

The carbon tax is a much more transparent, much more direct, much more flexible type of system ...

And did he also say that business is quite happy to go ahead with a carbon tax?

The PRESIDENT: Senator Wong, as you are representing the Minister for Climate Change and Energy Efficiency you only need to respond to those parts of the question that pertain to your portfolio. The other parts do not have to be responded to.

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:23): I am asked about Mr Warburton's views in relation to carbon pricing. Probably the best thing I can do is simply point the senator to past public comments by Mr Warburton. I do not propose to speak for Mr Warburton. On 21 October 2009, he wrote an opinion piece for the Australian Financial Review in which he did discuss various aspects of policy and indicate at that point arguments in support of a carbon tax. In that opinion piece he said:

I endorse the government and opposition path that, in light of the unsettled science, we cannot afford to do nothing. However, I believe the opposition could change direction to the equally effective carbon tax route.

Obviously, it is for Mr Warburton to express his own view as to whether he has moved away from that position and for what reasons. I would note that Mr Warburton did engage in some work for me when I was climate change minister. Some of the design of the Jobs and Competitiveness Program, which is included in the clean energy package, was a result of the advice of the Warburton committee. We have picked that up. That was part of the CPRS and has been retained in the context of the clean energy package. But, more broadly, I do not feel particularly comfortable giving a view about Mr Warburton's change of position. I suspect that is properly a matter for him to engage in.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (14:24): Mr President, I ask a supplementary question. Is the minister aware that last night Mr Warburton told ABC Business Lateline:

Well, I am a sceptic. I've never moved away from that. I've always believed sceptical. But a sceptic is a different person than a denier. I say the science is not settled. I'm not saying it's wrong. I've never said it's wrong, but I don't believe it's settled.

Is Mr Warburton wrong or right in that, and can the minister trace the impact of Mr Warburton's advice as political adviser on the sceptical Leader of the Opposition?

(Time expired)

The PRESIDENT: Senator Wong, again, as you are representing the Minister for Climate Change and Energy Efficiency you only need to respond to those parts of the question that pertain to your portfolio.

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:25): Thank you, Mr President. On whether or not the science is settled the government has a very clear position: it is. The overwhelming consensus of the world's scientists with relevant qualifications—those who have advised governments around the world—is that climate change is real. There is obviously uncertainty on consequence, but most of that uncertainty is on the downside—that is, that some of the consequences could be worse than those which have been previously predicted. I would commend any senator in this place to look at the publication released by the government—I think it was earlier this year—which
updated some of the science. It was entitled *The Critical Decade* and it does demonstrate—

**Senator Brandis:** If the science is settled why does it have to be updated?

**Senator WONG:** That is an extraordinarily stupid interjection. *(Time expired)*

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (14:26): Mr President, I ask a further supplementary question. Was Mr Warburton on the board of Note Printing Australia from 2002 to 2009 when in mid-2007 that board was given information dealing with how the company’s agents were bribing officials in Malaysia and Nepal but decided to take no action for pragmatic and legal reasons? Is the minister aware of any extenuating circumstances which allowed Mr Warburton and that board to take no action at that time?

**Opposition senators interjecting—**

**The PRESIDENT:** When there is silence we will proceed. Order! Again, the minister can only answer those parts of the question that relate to the portfolio.

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:27): I suspect this question is probably in my capacity as Minister representing the Treasurer. I am asked about allegations made against Note Printing Australia. This is a matter that has been under investigation by the Australian Federal Police for some time. I am advised that these issues are now a matter for the courts. I also understand the RBA has conducted appropriate internal reviews. It is not the government's intention to provide a running commentary on these matters while they are still under investigation by the authorities and whilst court proceedings are pending.

**Carbon Pricing**

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (14:28): Mr President, my question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. I refer the minister to the statement made by John Berry a director of JBS Australia, the company which owns Australia’s largest abattoir, which claims that the carbon tax will add $3.3 million in costs to the abattoir at Dinmore, near Ipswich, in Queensland. JBS employs nearly 2,000 workers in Dinmore and almost another 4,000 in rural Australian abattoirs such as those in Townsville, Rockhampton, Yanco, Cobram, Bordertown and Devonport. Can the minister explain why the government is putting the jobs of meat processors at risk by imposing the biggest carbon tax in the world ahead of any move to introduce prices on carbon in Australia’s major beef export competitors such as the United States and Brazil?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:29): If I could deal first in relation to the second proposition, which was also the proposition in Senator Abetz’s question—one of the many, and I did not get to this one—that somehow this is the world's largest price on carbon. I would make the point that the European Union obviously has a much larger emissions trading scheme than Australia's. Their emissions trading scheme is much larger than Australia's. Their emissions trading scheme is much larger than Australia's. I also make the point, because the opposition appear not to have listened to the evidence of the secretary of the department of climate change, that a number of public statements have been made which compare an overinflated number for Australian permits with only auction revenue from the introductory phase of the EU emissions trading scheme. This is a misleading comparison.
In relation to jobs more broadly the government is putting in place a Jobs and Competitiveness Program, which will provide some $9.2 billion of assistance over the first three years of the carbon price to support industry, to protect jobs and to encourage industry to invest in cleaner technologies. In addition there is a $1.2 billion Clean Technology Program as well as the Steel Transformation Plan, and I look forward to seeing whether or not the opposition will be supporting the government when we bring forward that legislation.

We do take the view that this is about moving to an economy that will become more competitive. In a world that will increasingly put a premium on low-carbon goods and services, a carbon price is a signal to investors to invest in clean energy and clean energy technologies. This is an important transformation of the economy. There is, I am sure, no end to the scare campaigns that will continue to be mounted from those opposite. In years to come, it will be seen as the right thing— *(Time expired)*

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (14:31): Mr President, I ask a supplementary question. Given that exports make up the bulk of the Dinmore abattoir’s production, can the minister advise the Senate of what modelling the government has conducted on the impact of the carbon tax on Australia’s meat processing industry, in particular in the event that other countries do not impose a price on carbon?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:32): The government have released some of the most extensive modelling ever undertaken in Australia. In the previous parliament the modelling which was released was, I think, the largest modelling exercise ever undertaken. In addition we subsequently released updated Treasury modelling and that shows that jobs will continue to grow. Let us remind everybody: Treasury continues to advise that we will continue to grow our economy, our incomes and our jobs and reduce Australia's domestic emissions from what they otherwise would be. No amount of rhetoric from the other side will disguise the simple proposition that the economists in this country—the Treasury and respected economists—are telling governments and this parliament that pricing carbon is the most efficient way to deal with the challenge of climate change.

**Senator WILLIAMS** (New South Wales—Nationals Whip in the Senate) (14:33): Mr President, I ask a further supplementary question. Given that Mr Berry claims he was still in negotiations with the government over the impact of the carbon tax on the Dinmore abattoir, why is the government denying industry proper consultation before the vote on the carbon tax it promised not to introduce at the last election, and is the government making the same mistakes it made during the live cattle fiasco?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:33): First, in relation to consultation, if I may say this: does anybody in this chamber believe that the opposition's views on this matter would change one iota if there were more consultation? They have been consistently and persistently opposed to this reform since the day Mr Abbott became the opposition leader. No amount of evidence, no amount of argument, no amount of consultation and no amount of discussion is going to alter their blind opposition to this reform. Mr Abbott has made that clear. Mr Abbott has made very clear that the task of his political life is to stop this carbon tax. That is what he says. That is his political task. It is quite extraordinary, isn't it? He
does not want to build anything, he does not want to do anything; he just wants to destroy. He is a wrecking ball, nothing more. He is all opposition and no leader.

This is a reform worth doing. This is a reform that will transform our— *(Time expired)*

**Steel Industry**


*Senator Brandis*: Are you a 'Ruddite' or a 'Gillardine'?

*Senator SINGH*: Have some respect. Given the pressures of a high dollar and a tough global economic climate, can the minister inform the Senate—

*Honourable senators interjecting*—

*The PRESIDENT*: Senator Singh, resume your seat. When there is silence we will proceed.

*Senator SINGH*: Given the pressures of a high dollar and a tough global economic climate, can the minister inform the Senate what action the Gillard government are taking to support jobs in Australian steel?

*Senator CARR* (Victoria—Minister for Innovation, Industry, Science and Research) (14:36): I thank Senator Singh for her concern, a concern which I recall was raised by Senator Fierravanti-Wells some months ago. I recall her asking me what I would say to the people of Wollongong, people she said were concerned about their jobs. I actually did go to Wollongong. We went there with a real plan—the Steel Transformation Plan—a plan backed by some $300 million, a plan that will be locked into legislation. We will of course help provide the wherewithal to ensure that there are steel jobs in the Illawarra for decades to come—a plan I notice that the opposition are refusing to support. The opposition have made it perfectly clear that they have no intention of supporting such a plan. We heard the same thing when the Liberal Party went to the Steel Institute. We have seen the Leader of the Opposition put that proposition. What they are really about is finding $70 billion to cover the black hole they have in their budget. The Leader of the Opposition has indicated that as part of seeking to find that money he will tear up the Clean Energy Future plan.

We heard the member for Sturt just yesterday say that the opposition will be voting against the carbon tax, and this package of legislation includes the Steel Transformation Plan. They are quite happy to appear on TV every night, standing next to people in fluoro vests, but they are not prepared to actually back those people. They are not prepared to do anything to actually help them. What they are prepared to do is push forward measures to make it easier to sack those people and to strip away investments. Every night on TV we see their crocodile tears for workers in manufacturing, but when it comes to actually doing something to help people, they vote against it. The only thing they are interested in is crawling over the jobs of Australian workers. *(Time expired)*

*Senator SINGH* (Tasmania) (14:39): Mr President, I ask a supplementary question. How does the minister respond to calls for Australia to build jobs on the new frontier of green technology?

*Opposition senators interjecting*—

*Senator CARR* (Victoria—Minister for Innovation, Industry, Science and Research) (14:39): I could remind those opposite that the member for Wentworth told us just yesterday that there were quality jobs at stake in this global transformation. The member for Wentworth seems to have got
the message about green jobs and the importance of the transformation of the Australian economy. But his party leader told us just last month that ‘there is no way on God's earth that you can have a solar powered steel mill or a wind powered manufacturing plant'. When we turn that around we see that the member for Wentworth is actually saying that you cannot have wind turbines without steel, you cannot have solar plants without steel and you cannot upgrade the farms, factories and homes of this nation without steel. We are in the business of making sure that the steel is made in Australia. We want to make sure that people have opportunities to claim the rightful prosperity that is theirs. They want to enjoy the benefits of living in a society where that prosperity is properly shared. (Time expired)

Senator SINGH (Tasmania) (14:40): Mr President, I ask a further supplementary question. What is the minister doing to raise the level of local steel in major resource projects?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:40): The government's position is very clear. We argue that whatever the level of localisation of resources projects is, it is not enough. We want to ensure that we have the highest possible level of Australian participation in the development of our resources. That is why we announced last week that major federal grants of $20 million or more, including grants to the states and territories, will be contingent upon maximising opportunities for Australian businesses.

We have also required future project developers to publish more details of opportunities for local firms if they want to receive tariff concessions under the Enhanced Project By-law Scheme. Australian firms should be given the opportunity for full, fair and reasonable participation to compete for work both at home and, we argue, overseas. The Leader of the Opposition saw fit to support these measures—through the sides of his mouth—but on the same day, the shadow minister for industry took the view— (Time expired)

Steel Industry

Senator COLBECK (Tasmania) (14:42): My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. I refer to Prime Minister Gillard's statement of 13 September 2011 that the government's Steel Transformation Plan is ‘a bridge to build resilience and competitiveness’ in the Australian steel industry. Can the minister confirm that over 80 per cent of steel industry workers are employed in businesses other than BlueScope and OneSteel and that none of those firms qualify for assistance under the Steel Transformation Plan?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:42): It would help if Senator Colbeck were actually supporting these measures. If he was actually serious about supporting steel innovation and supporting the steel industry, he would be supporting this scheme. But he is not. This is a clear example of the Liberal Party's view that it is all right to scramble to office on the back of cheap publicity around their alleged sympathy for workers in manufacturing without being prepared to do anything about it.

Honourable senators interjecting—

The PRESIDENT: Order on both sides! The interjections do not help in listening to the answer.

Senator CARR: The $300 million Steel Transformation Plan will encourage investment, it will encourage innovation and it will encourage competitiveness for the Australian steel manufacturing industry. It
will help transform the industry through increasing efficiency and by ensuring that the industry is economically sustainable in a low-carbon economy. The additional support is coming through various investments through the Jobs and Competitiveness Program and through our research program—where we see, for instance, that the CSIRO is working closely with BlueScope Steel and other steel manufacturers to develop opportunities for further innovation in the industry. It is not just a question of the $300 million we are providing through this scheme but of the hundreds of millions of dollars that are being provided through a whole range of measures that this government is committed to.

Senator Abetz: No.

Senator CARR: It is billions of dollars, Senator. You are actually voting against billions of dollars in support for manufacturing in this country. You cannot have it both ways. If you vote against the support, you have to wear the responsibility for your turning your back on manufacturing workers of this country, and that is precisely what you are doing. There are billions of dollars in support provided to manufacturing workers through this steel innovation council, through the steel transformation scheme and through the various measures this government is proposing to pursue through this package of legislation coming into the Senate shortly.

Senator Abetz: No.

Senator CARR: It is billions of dollars, Senator. You are actually voting against billions of dollars in support for manufacturing in this country. You cannot have it both ways. If you vote against the support, you have to wear the responsibility for your turning your back on manufacturing workers of this country, and that is precisely what you are doing. There are billions of dollars in support provided to manufacturing workers through this steel innovation council, through the steel transformation scheme and through the various measures this government is proposing to pursue through this package of legislation coming into the Senate shortly.

Senator COLBECK (Tasmania) (14:44): Mr President, I ask a supplementary question. Given that the Gillard government cannot agree as to whether its proposed Steel Transformation Plan will last four, five or six years, will the minister now concede that the government can give no indication of compensation to the steel industry beyond 2015-16 and that the entire funds of the plan could be exhausted within just one year and one day?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:45): Senator Colbeck, I just want to be clear about this. You are saying you will not support the industry getting any money at all, and you want to argue the toss about how many years the support goes for. It is an extraordinarily contradictory position. Do you support this scheme or don't you? Do you support providing assistance to the steel industry or don't you? Do you support steelworkers or don't you? These are pretty fundamental questions, Senator, and so far all I have heard from you is that you do not. You are turning your back on the steel industry of this country. You are turning your back on workers of this country.

Senator Brandis: Mr President, I rise on a point of order on direct relevance: the minister has obviously gone nowhere near the question. He was asked a narrow, specific question: will the compensation under the plan run beyond 2015-16? He has not even approached that question.

The PRESIDENT: The minister has 27 seconds remaining to answer the question. Minister, I draw your attention to the question.

Senator CARR: The question is about whether or not we will provide assistance for the out years, and the answer is that we will. We are providing assistance through a range of measures. We are providing assistance on the basis of there being innovation undertaken within the steel industry. We come back to the simple proposition: do you support a steel industry in this country or don't you? All I hear so far is: no, you do not. You do not support workers of this country. You do not support manufacturing. What you do support—

(Time expired)
Senator COLBECK (Tasmania) (14:47): Mr President, I ask a further supplementary question. Can the minister explain why BlueScope is expanding its operations and its workforce in countries like Indonesia but at the same time pulling back its operations and expansion in Australia? Was Prime Minister Gillard fully aware of the devastating impact the carbon tax would have on Australian industry when she promised there would be no carbon tax under a government she leads?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:47): I have explained that we are providing $300 million of assistance, which is out over the five-year period; I have explained that we are part of a broader set of measures that are not just confined to the $300 million; and all I have heard from those opposite is that they will not support it. What I have also heard from BlueScope and from OneSteel is that decisions in regard to the redundancy have absolutely nothing whatsoever to do with the question of the climate change legislation. They were very explicit about that, very direct and very much to the point. It is a pity you did not hear them.

But workers of this country are now listening to you, and they want to know where you stand in terms of your support for the working people of this country. All I have heard so far is that you are not prepared to back the steelworkers of this country and you are not really prepared to back manufacturing workers of this country. All you want to do is to move the legislation to make it easier to sack them. Your only interest in blue-collar workers is whether or not you can get a cheap headline for the short term. You have no interest in the long-term future of working people of this country. (Time expired)

Vocational Education and Training

Senator RHIANNON (New South Wales) (14:48): I direct my question to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. In a letter you sent to the New South Wales Labor MP Carmel Tebbutt on 29 September this year about concerns raised by the New South Wales Teachers Federation concerning vocational education and training, you stated that there was a role for healthy competition between public and private VET providers. How do you regard as healthy competition the huge profits being made by private providers as a result of the funding growth in their sector, given that private provider tenderers have been exempted from providing lists—

Opposition senators interjecting—

The PRESIDENT: Order! Senator Rhiannon, you are entitled to be heard in silence. Order! Go back to the second part of the question; I did not hear it.

Senator RHIANNON: Thank you, Mr President. How do you regard as healthy competition the huge profits being made by private providers as a result of the funding growth in their sector given that private provider tenderers have been exempted from providing lists of teachers and facilities they will use and when the growth in profits of private providers is being underwritten by students paying VET FEE-HELP loans?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:50): I thank Senator Rhiannon for her question. I am not sure how she came to have the letter that I sent to Carmel Tebbutt, but that is a question for her and Carmel Tebbutt. I do not have that in front of me, but can I say that I do not accept some of the concerns expressed in the senator's question.
We are very much committed to a strong reform agenda in the vocational education and training system. We do think the sector is in need of further reform, but we back that by record investment in the VET sector. Over the last three years, this government has put $11.1 billion into VET, compared to $7.2 billion over the last three years of the previous government. So we are seeking to reform and invest to try to build the skills base this country needs to take advantage of the growth in the economy and the opportunities provided by the mining boom. So we are committed to reform in VET. We are committed to greater investment in VET and have a commitment to the skills and training agenda.

It is true that a number of the states have gone down a series of reform programs, most notably in Victoria, where they have provided a greater role for the private sector. I do not have any problem with there being competition between private providers and the TAFE system in the VET space, and I do not expect that private providers would operate unless they were making a profit. So making a profit in itself, it seems to me, is not something one could be critical of them for doing. But it is the case that I have a very strong view that there is a significant role for TAFE to play in the future of VET in this country. We have invested enormously in both the facilities and the skills of the staff. It is a very key part of our training system, and in no way should these reforms be seen as a reduction in the contribution of TAFE.

Senator RHIANNON (New South Wales) (14:52): Mr President, I ask a supplementary question. Minister, can you inform the Senate if the VET competitive tendering process applies competitive neutrality adjustments to TAFE which effectively penalise TAFE for having access to state owned infrastructure? Has this happened in companies with no teachers on their books and no facilities in their asset register to tender to provide courses that TAFE already effectively delivers? How is this competitive or delivering value for money or building the skills base you just spoke about?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:52): I think that question refers to concerns about quality in the private provider area and I think there are legitimate bases for concern about some of the companies involved. That is why, as the Minister for Immigration and Citizenship, I implemented a lot of measures to try and assist in breaking the link between some of those companies—the way they were operating—and the provision of services to international students. This government has also driven a reform program in this area in relation to quality. The new regulator, ASQA, has been set up to try and address these very concerns—where state based regulation was not adequately covering the performance of the sector. We had serious concerns about that state based regulation. That concern was reflected, for instance, in the Victorian Auditor-General's report. The new national regulator established by this parliament will provide us with greater confidence that proper standards are being applied to training and that students are getting value for money from their investments in the courses they undertake.

Time expired

Senator RHIANNON (New South Wales) (14:53): Mr President, I ask a further supplementary question. Minister, can you inform the Senate if the VET competitive tendering process applies competitive neutrality adjustments to TAFE which effectively penalise TAFE for having access to state owned infrastructure? Has this happened in
tendering in New South Wales and in other states?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:54): I think I will have to take the question on notice. I remind the Senate—I am sure Senator Rhiannon knows—that the states actually administer the vocational education and training systems. We are a funder of those systems and this government has greatly increased the funds going into the vocational education and training system. We also have a national partnership with the states where we agree on the objectives. We are in the process of renegotiating the national agreement and the national partnerships, which are due to come into effect on 1 July 2012. Those processes are looking to try and make sure we get better outcomes from the Commonwealth’s investment in the state training systems, but the systems themselves are administered by the states. Your question really goes to the principles the states have been applying, so I think I will take that part of the question on notice.

Carbon Pricing

Senator IAN MACDONALD (Queensland) (14:55): My question is to Senator Wong, representing the Minister for Climate Change and Energy Efficiency. Is the minister aware of detailed modelling on the carbon tax, released yesterday by respected modellers ACIL Tasman, which shows that six black-coal mines in my home state of Queensland are at risk of closing? Is the minister also aware that the Queensland economy stands to lose almost $13 billion in revenue from the loss of proposed coalmines as a result of the government’s carbon tax? How can the minister justify this carbon tax and that loss of revenue to the Queensland government and indeed to Queenslanders generally?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:56): I am aware of a great many statements which have been made by many individuals, including the Leader of the Opposition, about coal. I can recall, for example, the Leader of the Opposition saying:

A carbon tax ultimately means death to the coal industry.

That is a very measured contribution from a national leader. He said that, I think, at Peabody’s Helensburgh mine—just prior to Peabody launching a $4.7 billion bid for Macarthur Coal—a few days after the clean energy package was announced. I think that really speaks for itself. We have a man who says he wants to be Prime Minister asserting death to an industry—and a $4.7 billion takeover after he says it. That really, I think, demonstrates the bona fides of the people in this place asking these questions.

The government recognises that there are a small number of gassy underground coalmines that have high fugitive methane emissions and that these will face increased costs under a carbon price. The government has put in place a coal sector jobs package of $1.3 billion to support jobs and assistance with transition. In addition, there is $70 million available for assistance to develop emissions reduction technologies for gassy coalmines through a coalmining abatement technology support package. When we consider these facts, with a $23 carbon price, once the government’s assistance is taken into account, the impact on costs for the coalmining industry will, on average across the industry, be less than $2 for every tonne of coal produced. (Time expired)

Senator IAN MACDONALD (Queensland) (14:58): Mr President, I ask a
supplementary question. Is the minister aware that the ACIL Tasman modelling also shows that the government's carbon tax would force the premature closure of 17 per cent of existing black-coal mines in Australia and put at risk some 21,000 coalmining jobs? Can the minister explain how this tax, which the people of Queensland and Australia voted against, is good for workers, contractors and small businesses in Gladstone, Mackay, Townsville, Emerald and Moranbah whose very existence depends upon Central Queensland black-coal mines?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:59): I am also aware of figures produced by ABARES which show that the total investment pipeline for coal related projects was some $70 billion worth of projects as at April 2011—some 19 coalmine projects committed or under construction, expected to add around 60 million tonnes per year of additional mine capacity by the end of 2014, and a further 68 mine projects in the coal pipeline awaiting approval. The only person talking about death to the coal industry is Mr Abbott.

Senator IAN MACDONALD (Queensland) (14:59): Mr President, I ask a further supplementary question. I refer the minister to the ACIL Tasman modelling and ask: did the Prime Minister make her promise not to introduce a carbon tax under the government she led because she recognised the damage it would do to workers and employment in Central Queensland? If that was not the reason she promised not to introduce a carbon tax under the government she led, what was the reason?

Senator WONG (South Australia—Minister for Finance and Deregulation) (15:00): The opposition can continue to run its campaign against a price on carbon. The opposition—

Senator Ian Macdonald: I have a point of order on relevance, Mr President. My question was very clear. Did the Prime Minister make her promise not to introduce the tax because she recognised the damage it would do to Central Queensland workers? That was the question. I am not interested in whatever Senator Wong is babbling on about now. I would like an answer to my question.

The PRESIDENT: There is no point of order. The minister has 47 seconds remaining.

Senator WONG: We do not accept on this side the continued scare campaign, which is run by Senator Macdonald and those opposite, about jobs in the coal industry. We simply do not. For the reasons I have outlined, we believe that pricing carbon is the right reform for the economy and for the environment. I make this point, and this is about the jobs of tomorrow: does anyone in this chamber really believe that the world will not continue to put a premium on low-carbon goods and services? That has been the trend to date; it will continue to be the trend. We on this side want to make sure Australia can compete in the global economy, which increasingly places a premium on clean energy jobs and clean energy goods and services. We will put in place the reform to achieve that.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Coal Seam Gas

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy, Deputy Leader of the Government in the Senate and Minister Assisting the Prime Minister on Digital Productivity) (15:02): On 22 September
2011, Senator Waters asked me a question about coal seam gas regulation. I seek leave to incorporate further information in Hansard.

Leave granted.

The answer read as follows:

Senator Waters: Given the minister's view that the regulation of coal seam gas mining is primarily a matter for state governments, is the minister alarmed at admissions made by the Queensland government's head of LNG enforcement last week that the coal seam gas industry will have aquifer and regional scale impacts, and that the Queensland government is only monitoring 10 per cent of coal seam gas wells for leaking methane and aquifer connectivity?

The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable Senator's questions.

The separate roles and responsibilities of state and Commonwealth governments in regulating the coal seam gas industry are determined by legislation. The Commonwealth government is responsible for managing compliance with the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Compliance with the Queensland regulatory regime is a matter for the Queensland government. The statement the honourable senator refers to relates to matters of state responsibility and concerns wells that have been approved under state laws. None of the three coal seam gas projects approved under Commonwealth legislation has yet reached production.

In deciding to approve three coal seam gas projects, proposed respectively by Queensland Gas Company, Santos, and Australia Pacific LNG, the minister received detailed advice from Geoscience Australia and another independent expert on groundwater issues, including aquifer connectivity. That advice, and the conditions attached to the approval of those projects, addressed the question of regional impacts. The conditions require the companies to each submit detailed plans for the management of aquifers, groundwater and surface water for the minister's approval, and to undertake aquifer connectivity studies, and carry out ongoing monitoring and reporting of their activities throughout the life of their project. The conditions provide for precautionary drawdown thresholds, to provide an early indication of any unacceptable groundwater-related impacts. If those thresholds are exceeded, the companies must restore pressure, for example, by reinjection or other approved means.

The conditions also require the companies to contribute data to a regional groundwater model that will inform the adaptive management of these projects at both the project scale and the regional scale. The regional groundwater model is being developed by the Queensland Water Commission, with the involvement of the coal seam gas companies, independent experts and officers from the Commonwealth and Queensland governments.

Senator Waters: Mr President, I have a further supplementary question. Given the mounting scientific and community concern, and the inadequate state regulation of coal seam gas, will the government now adequately resource departmental monitoring and enforcement of those federal conditions, reconsider its refusal to add a water trigger to our environmental laws, and reconsider its refusal to impose a moratorium until the full impacts of coal seam gas are understood?

The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable Senator's questions.

The Department of Sustainability, Environment, Water, Population and Communities includes a dedicated compliance and enforcement branch for enforcement of federal conditions under the EPBC Act. Since the federal approval of three Queensland coal seam gas projects, the department has established an additional section dedicated specifically to monitoring compliance with the conditions attached to the minister's approval of coal seam gas projects.

The independent review of the EPBC Act, led by Dr Allan Hawke AC, considered but did not recommend a water trigger. Dr Hawke concluded that including water extraction or use as a matter of National Environmental Significance was not
the best mechanism for managing water resources.

Under the EPBC Act, the Australian Government considers the impacts of proposals on defined matters of national environmental significance. The EPBC Act does not include a provision for the minister to refuse to assess and decide on proposals. The possibility of a general moratorium on coal seam gas would be a matter for state and territory governments, which have wider regulatory responsibilities for exploration and mining.

ANSWERS TO QUESTIONS ON NOTICE

Question Nos 503, 504, 633, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 712, 759, 779, 780, 789

Senator JOHNSTON (Western Australia) (15:02): Pursuant to standing order 74(5), I ask the Minister representing the Minister for Defence, Minister Evans, for an explanation as to why answers have not been provided to questions on notice numbers 503 and 504, which were asked on 21 March, 633, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646 and 647 as asked on 29 April, question 712 on 23 June, and 759, 779, 780 and 789 as asked on 5 July of this year.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (15:03): As the Senate would know, I am on top of all of those answers. I understand the senator gave prior advice to Mr Smith's office that he would be asking for a follow-up to his questions on notice. I thank him for doing us that courtesy. I am also aware that he wrote to the Minister for Defence on 22 September in relation to 32 questions he asked on notice which have not yet been answered. These are in addition to 101 questions taken on notice following the Senate Standing Committee on Foreign Affairs, Defence and Trade budget estimates hearings on 30-31 May 2011.

Of those 101 questions, 93 answers have been provided. I can advise the Senate that of the 32 questions he referred to in his correspondence, 13 have been tabled and 19 remain under consideration. Some of the questions asked by the senator relate to complex and highly technical matters and others to national security issues. Accordingly, a number of these questions have required a significant effort to address. Obviously, it is important to ensure that answers to these questions are competent and deal with the complexity of the questions asked. I appreciate the senator's concern. The minister has indicated to me that he expects that outstanding Senate defence questions on notice are to be tabled by the end of this week.

Senator JOHNSTON (Western Australia) (15:04): I move:

I thank the minister for using his good offices to obtain the answers to what are important questions. Very briefly, questions—whether they be without notice or upon notice—are the fundamental building block upon which the Senate and, more particularly, the parliament is built. A failure to answer questions in a timely way undermines the important rights of the Australian people though their parliament—that is, the right to know and to understand what their government is doing. I urge the minister to use his good offices to provide those answers and I thank him for his consideration in that regard.

Question agreed to.
QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS
Carbon Pricing

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (15:06): I move:

That the Senate take note of the answers given by the Minister for Finance and Deregulation (Senator Wong) to questions without notice asked today.

This week is a very sad week for our nation. It is a nation that went to an election and was given a warrant by the highest elected office holder in the land at that time that there would be no carbon tax under the government she led. Now we are apparently going to go down that path. Unfortunately, we will have no government under the carbon tax she leads. It is sad that at this point in time, with all the precarious things that are happening on the global economic front, we would be foolish enough to go down this path, ignoring the fallout that is happening in Europe as we speak.

We are on the edge of a precipice. This government is just completely and utterly self-indulgent. It also shows the power in our nation that the Australian Greens have now. The Labor Party is obviously tied in the most intricate form in its policy structure to what was in the past a peripheral party. The Greens' desire for Australia is one in which there is no coalmining. The Greens do not believe in a coalmining industry for Australia, they do not believe in live cattle exports, they do not believe in the irrigation industry of the Murray-Darling Basin—they do not believe in so much of what is fundamentally important to keeping our nation strong.

They say all these mystical things. They talk about compensation. You only need compensation if you have been hurt. No one ever pays compensation to somebody who has not been afflicted. That in itself is an admission of the sorts of problems we are going to have. They talk about the compensation package for the steel industry. Quite obviously they recognise that the steel industry will get smashed. They talk about the compensation package for pensioners, and of course that is a recognition that the pensioners are going to get smashed. They talk about giving people back some of their own money, and they expect people to say thank you for it. It is just an absurd kafkasque policy.

The whole point of a carbon tax is a pricing mechanism to make things dearer. That is how it works. If that does not happen, there is no point to it. If it does work, then it is totally dangerous and we should not be doing it. Power is not currently free. There is a very high price for power. Many people struggle with the price of power as it is and they do not need any more incentive not to use power. We are seeing in the United States the highest levels of poverty since 1964, and we see similar things in Europe. We should be doing everything we can in our nation to draw the wagons into a circle, to make our nation strong.

It is absurd that we are going down this path right now. When I last checked our debt was $211,392 billion. We borrowed in excess of $2 billion just last week. Jeffrey Sachs says that $3 billion would be the annual cost of curing malaria in Africa. We borrowed that in 1½ weeks. We have to pay this money back. If we do not pay this money back, our nation will be in so much strife and so much trouble. How do we pay the money back? We put ourselves in a strong position. We accentuate the areas where we are strong. We are strong in the export of minerals and in the production of agriculture. What on earth are we doing putting a tax on these things? One of the greatest fundamentals we ever delivered to
this nation was a fair standard of living. This is a direct attack on our Australian standard of living.

The question at the essence of this tax that those opposite never answer is how much will this tax that they are about to impose on Australia cool the temperature of the globe? The answer is that it will do absolutely nothing to the temperature of the globe. It is merely a gesture. We are inflicting the privations of poverty on people who cannot afford it, all for a gesture. And this has come from the Labor Party. They used to represent the people who are doing it tough, but now they are not—they have been hijacked by a very particular group in Australia, the Australian Greens, and this will destroy our nation and it will destroy the Australian Labor Party.

Senator BILYK (Tasmania) (15:11): Senator Joyce started off by saying what a sad week it was, but what is really sad about this week is that those on the other side are still naysayers and sceptics. Everybody on this side knows that introducing a price on carbon is the right thing to do for the economy and that cutting carbon pollution will help to drive investment in clean energy technologies and the infrastructure associated with that in areas such as solar, gas and wind. It will help build the clean energy future that future generations deserve. I have great concern about what we are leaving future generations. When there is a chance for us to make something better and try to repair some of the damage that has been done, it is incumbent upon the government to take action to do that—not to just, like those on the other side, misrepresent, misconstrue and misreport anything that comes across the desk in regard to clean energy and carbon pricing.

Most of question time was taken up with this issue today and I am sure that will continue to occur for the rest of the week. A number of mistruths or misconceptions were put forward in question time. I did hear one big misconception put forward—although, due to the number of interjections by those on the other side, it gets a bit hard to hear sometimes.

Senator Boyce interjecting—

Senator BILYK: I rest my case. We sit here patiently and listen to all they have to say but their manners are astounding—they have to interject. They cannot help themselves. Obviously they like the sound of their own voices. Areas like China, Japan, the US and India are moving in a similar direction, yet those opposite are saying that other countries are doing nothing. I have heard them say that on many occasions, and it is simply not true. As I have said, it is important that we do this for future generations—for our children, our grandchildren and our great-grandchildren. Delaying this action will cause enormous problems. We are well aware that those on the other side like to oppose for opposing's sake. They consistently and persistently do it, as we heard all through question time and as we hear out there when they have their mates running ads to try to stop carbon pricing going through. They run the scare campaigns but I think people are seeing through them. I consider it an absolute abuse of power by those on the other side. I think they need to come clean about what is happening.

Mr Deputy President, this will probably be of great interest to you. I have some statistics about how carbon price household assistance will help Tasmania, which is the home state of both you and me. In case you were not aware, Mr Deputy President, more than 102,300 pensioners in Tasmania will receive in their pension payments an extra $338 extra per year if they are single and up to $510 per year if they are a couple. This is
very important to pensioners within Tasmania and, in fact, throughout the nation. More than 45,600 families in Tasmania will receive household assistance through their family assistance payments.

Yes, we are compensating people for the fact that there needs to be a carbon price, but those on the other side have the audacity to say that we should not have to compensate people unless they are damaged. I do not think taking $1,300 off every person is any better. In fact, the direct, no-action policy that those on the other side and Mr Abbott adhere to has big problems. On the Gillard government side, we are working hard to make sure that more than 5,300 self-funded retirees in Tasmania will receive an extra $338 a year in assistance for singles and up to $510 per year for couples combined.

Mr Deputy President, I know you will be interested in this because you are quite concerned with people in jobs: more than 18,900 jobseekers in Tasmania will also get up to $218 extra per year for singles and $390 per year for singles and $390 per year—(Time expired)

Senator CORMANN (Western Australia) (15:16): The carbon tax is a bad tax based on a lie. The original deception of the Australian people was in the lead up to the last election, when the Prime Minister promised that there would be no carbon tax under a government she leads. Even now, the Labor-Green alliance continues to deceive the Australian people. The reason it wants to rush this legislation through the parliament this week is because it knows that every day that goes by with more parliamentary scrutiny, more flaws and more deceptions will be exposed.

The Labor-Green alliance wants people to believe that the carbon tax and the emissions trading scheme which is to follow will reduce global greenhouse gas emissions, but the carbon tax will do nothing of the sort. It will not even reduce emissions here in Australia. In the past, when we debated the Carbon Pollution Reduction Scheme legislation proposed by the former Prime Minister, Mr Rudd, I was concerned that the proposal was to reduce emissions in Australia in a way that would just shift them overseas into areas where emissions would be higher than they would be in Australia. To a degree that is still true under this bad carbon tax because, while emissions under the carbon tax will be somewhat lower in Australia than they otherwise would be, under the government's carbon pricing package emissions in Australia will continue to grow.

Do not take my word for it. When I asked Senator Wong today during question time to explain and confirm that she was not prepared to do so, but this information comes directly out of the Treasury's own modelling; it is there in black and white. Emissions now are 578 million tonnes. According to the Treasury modelling, under the carbon tax and the emissions trading scheme, emissions in 2020 will be 621 million tonnes. So emissions will go up. The government argues, 'Yes, but emissions will be lower than they otherwise would have been, so it is fair for us to claim that somehow emissions will go down.' Okay, if your argument is that something is falling even though it is going up, on the basis that it will be lower than it otherwise would have been, what about jobs? What about real wages? What about the economy? The Treasury modelling shows that, under the carbon tax and the emissions trading scheme, Australia's GDP will be 2.8 per cent lower by 2050 than it otherwise would have been. Using the government's rhetoric and spin in relation to emissions, that means that the economy is actually going to shrink. Economic growth is going to fall. This is the government's language. The Treasury modelling indicates that under the
carbon tax real wages will be more than five per cent lower by 2050 than it otherwise would be. So real wages are falling. If you use the government's argument that emissions in Australia are falling even though they are going from 578 million tonnes to 621 million tonnes, because they will be lower than it otherwise would have been, then that means that real wages will fall, because they will be lower than they otherwise would have been.

The point here is that the carbon tax—a tax that the people of Australia do not want and which the government is pursuing and ramming through the parliament in defiance of the Australian people—will push up the cost of everything, will reduce our international competitiveness, will cost jobs and will result in lower wages. It will do all of that while emissions will continue to grow.

One final observation in relation to some of the comments by Senator Carr on local content is that if the Prime Minister were serious about achieving more local content she would scrap her carbon tax, which will make locally manufactured goods more expensive. Under the carbon tax we are in a ludicrous situation where higher emitting manufacturers overseas will become more competitive than lower emitting businesses in Australia. As higher emitting businesses overseas take market share away from us emissions internationally will go up, not down. This whole carbon tax is a joke. It is a bad tax based on a lie. The Labor Party knows it, which is why it wants to ram it through the parliament.

Senator SINGH (Tasmania) (15:21): I start by acknowledging and thanking Senator Wong for the information, the education and the conviction that she gave in her answers in question time today on issues relating to our clean energy bills and in relation to climate change. However, what we know on this side of the chamber is that the opposition continues to oppose everything in relation to clean energy and climate change despite the science, despite the activity in our global economy and despite what is happening in other countries introducing their own emissions trading schemes. Instead, the opposition would prefer to continue to run scare campaigns that will do nothing to move Australia's economy into a transformed, clean energy economy, will do nothing for prosperity and will do nothing to ensure that we are playing our part in the global arena, both environmentally and economically, in relation to climate change—something that, as I said, the science is clear on and something that needs our action.

We believe in moving Australia forward into a clean energy economy. We believe in that important transformation that needs to take place. That is why, like the rest of the globe, Australia will have a price on clean energy goods and services, to ensure that we have a competitive economy with the rest of the globe in relation to clean energy. That relates very much to manufacturing, as Senator Cormann touched on, in his most negative fashion, just previously. That is because manufacturing is an important component in our transformation to a clean energy economy. That is why the Clean Energy Future package includes extensive support for Australia's manufacturing industry—a $9.2 billion Jobs and Competitiveness Program which will shield heavy industry sectors like steelmaking, aluminium production and glass and paper manufacturing from the carbon price and support jobs in Australia. On top of that, it will provide an additional $300 million for steel transformation, with a Steel Transformation Plan to provide extra assistance for steelmakers in this transformation to a clean energy future.

This is an incredibly important week. We have not had our chance yet in this place to
debate the clean energy bills, but this week in the House of Representatives they will be doing just that. They will be voting this week on the government's Clean Energy Future legislation, which will let us get on with the job of tackling climate change, playing our role as a nation by putting a price on carbon so that we can ensure that we can play a competitive role, along with other nations, including the European Union, with an emissions trading scheme. The legislation that we will get to debate in here puts the price tag on only around 500 of our biggest polluters, and every cent of the revenue raised will be used to assist households, to support jobs and competitiveness and to invest in clean energy and climate change programs.

These are good things that are coming out of putting a price on carbon, something that the opposition continue to simply ignore. They do not want to know about the good things that come about from these clean energy bills. They do not want to admit and accept that what we have here in this significant reform for this nation will in fact be good for people, good for the environment, good for the climate and good for our Australian economy as we play the role that we need to in a globally competitive environment.

Some of those good things include assisting households with tax cuts and raising the tax-free threshold to $18½ thousand—something that will benefit thousands upon thousands of low-income Australians. That is a really good thing that is coming out of these clean energy bills. On top of that, we are increasing family payments and raising pensions and allowances—another good thing that the Gillard Labor government are doing for people in these bills. Not only is this package good for people and for the economy but it is also— (Time expired)
running a scare campaign about jobs on the carbon tax. I am sorry, but the opposition has some very, very good company. This is not a scare campaign; this is the truth that the government fail to recognise. Probably they would include Mr Dick Warburton from Manufacturing Australia as one of the scare campaigners. The Rudd government did not think that when it appointed him to run an advisory group on emissions-intensive trade-exposed industries. It did not think that when he was a director of the Reserve Bank. Both positions put him in a position to have a very good view of what will happen when this tax is introduced. He is not a scare campaigner; he is a genuine, committed Australian who wants to act in the national interest.

Let us look also at the National Generators Forum, which makes the remarkable comment—remarkable to this government, anyway—that it will pass on increased costs to consumers. What a bizarre idea. That should not happen, according to the government. The National Generators Forum says that the carbon tax will cost $40 billion extra in the generation of power to the end of 2019-20. The government can compensate all it likes, but there will not be enough.

There is a better way: it is to accept the coalition's direct action plan and support for renewable energy growth. It is to pass the amendments, which will be put to the House of Representatives this evening, to delay any proclamation of this bill until after an election. That would allow this government to find out and be brave about introducing this disastrous tax. (Time expired)

Question agreed to.

Vocational Education and Training

Senator RHIANNON (New South Wales) (15:31): I move:

That the Senate take note of the answer given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans) to a question without notice asked by Senator Rhiannon today relating to vocational education and training.

In response to my question on TAFE, the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans, provided some interesting and worrying insights into the government's motivations. The minister failed to explain that federal government policy in VET and TAFE is increasingly based on reducing government investment in the sector, encouraging the growth of private providers, giving more control to business and increasing the contribution to the cost of their education by individual students. The VET sector is the worst funded education sector in Australia and has sustained reductions in government investment for almost 15 years. This is a matter of great interest to the people of New South Wales, where there are more than 550,000 students enrolled at TAFE institutes and campuses—there are 10 institutes and 130 campuses across our state. I congratulate the teachers in the TAFE system for the excellent work they do, despite years of government underfunding.

Governments have introduced income contingent loans into the VET sector to mask the effects of their policies, which have resulted in considerable increases in fees and charges to students. Governments are not proposing to introduce an income contingent loan scheme to help TAFE and VET students who are currently struggling with the cost of their education; they are introducing income contingent loans like VET FEE-HELP to mask the increased costs to students. The federal government argues that income contingent loans will encourage students and workers to enrol in TAFE and VET. That is not true, and history shows how untrue it is. In 1973, the Whitlam government abolished TAFE student fees. That resulted in
enrolments increasing from 400,700 in 1973 to 671,013 students in 1975—a 59 per cent increase. That made such a difference to so many people's lives and helped to increase the skills base of this country.

At a time when our nation has ongoing, critical skills shortages and there are global fears of another financial crisis, changes which threaten the quality and affordability of TAFE will deter many from education and training and undermine the type of society we need to be building, particularly at this critical time, when we need to be working on the transition to a low-carbon economy. A variety of skills in our diverse section of our community is urgently needed.

The Productivity Places Program is also relevant to this debate. The PPP was a clumsy attempt by the federal government to cut costs in the TAFE and VET sector, and to increase the share of the so-called VET market held by private for-profit providers. Though it succeeded in these objectives, it failed students, industry and the community. More than 75 per cent of PPP funding went to private for-profit providers. The program was an attempt to privatise the TAFE system, effectively by stealth. You would have to say, when you look at the figures, that it is actually an example of the failure of the market in this area.

The Productivity Places Program was a hastily cobbled together election initiative of the former Rudd government. The $2.1 billion program was supposed to provide 711,000 new or additional places over five years. It did not achieve this. It was supposed to deliver higher qualifications in skills shortage areas, of which we have many. It failed to do so. It was inadequately funded, with many TAFE institutes unable to bid for places in the program because the funding allocated was less than half the cost of delivery. That skewed the program, making it attractive to private providers, who focused their activity on high-volume, low-cost courses, which, again, do not deliver the highly skilled workforce our country so urgently needs.

To view the future, we can look at Victoria, where the coalition government has gone on an extensive program to push VET training into the marketplace. VET in Victoria was:

... confronted with an operating deficit of nearly $125m last year, after public payments to non-taste providers rose almost $140m to $275m.

That is nearly a doubling of costs. (Time expired)

Question agreed to.

PETITIONS

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

Children

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

We, the undersigned, care deeply about the children of Australia and their rights. We care about children's rights above parent's rights. We strongly support the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 and call on the Senate to do the following:

We ask the Senate to implement the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011, in its entirety, as soon as possible.

We also ask that the amendments be made retrospective so that cases involving children who are suffering now (those who are still alive yet in the care of abusive parents), as a consequence of the 2006 'reforms', can be revisited and new orders handed down.

We ask the Senate to consider urgent amendments to the Family and Federal Magistrates Court, so that all legal matters involving children be heard in a specially equipped court staffed by independent (not court
assigned) experts in the fields of child development and family violence.

We ask that judicial discretion, reform and accountability be made an urgent priority so that outrageous family court rulings made by Judges and Magistrates which have clearly put children at risk of harm, can be challenged at any time in a clear-cut, straight forward manner.

We ask that the media be allowed to report on specifics in family law matters, under certain circumstances. This current disturbing situation would need to be investigated.

We further request that the Senate set up a Royal Commission to look into the harm being inflicted upon children because of the current deficiencies in the Family and Federal Magistrates Courts of Australia.

by Senator Heffernan (from 2,220 citizens).

Islamic Law

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

This petition of certain citizens of Australia draws the attention of the Senate to the serious danger faced by Muslims who choose to leave their faith.

This petition of The Christian Democratic Party also draws to the attention of the Senate that Shari'a (Islamic) Law prescribes the death penalty for adult male Muslims who choose to leave Islam. Most of the Islamic schools of law also have the death sentence for women. Other penalties are also imposed.

We therefore humbly request the Senate to support all efforts by Muslims to have the apostasy law reformed, so that Muslims who choose to leave their faith are no longer liable to any penalty but are free to follow their new convictions without fear, in accordance with the United Nations Universal Declaration of Human Rights. We also ask the Senate to use its influence on the Governments of countries where punishments for apostasy are part of the legal system to encourage abolition. And your petitioners, as in duty bound, will ever pray.

by Senator Nash (from 534 citizens).

Petitions received.

NOTICES

Presentation

Senator McLUCAS: To move:

That the Senate—

(a) welcomes the Productivity Commission's final report into disability care and support, released on 10 August 2011;

(b) notes the assessment of the Productivity Commission that the current system of disability care and support is unsustainable, underfunded, unfair and does not deliver appropriate levels of care and support to Australians with disability;

(c) supports the vision set out by the Productivity Commission for a national disability insurance scheme which delivers individualised care and support for Australians with significant disability over the course of their lives and provides universal insurance for care and support for Australians in the event of significant disability;

(d) commends the Government's commitment to fundamental reform of disability services and the start of work to prepare for a scheme consistent with the recommendations of the Productivity Commission;

(e) recognises the work of the Government to increase funding and put reform to services to Australians with disabilities on the national agenda, including improving access to early intervention services for children with disabilities, record increases to pensions for people with disabilities and their carers and doubling funding to the states and territories to deliver disability services; and

(f) welcomes the agreement of the Council of Australian Governments to immediate action to deliver foundation reforms necessary for a national disability insurance scheme.

Senator LUDLAM: To move:

That the Senate—

(a) notes that:

(i) 23,300 nuclear weapons are in existence posing direct and constant threat to international peace and security with thousands
on hair trigger alert ready to be launched within minutes of an order to fire,

(ii) nine countries possess nuclear weapons and under 'nuclear sharing' arrangements five others have nuclear weapons on their soil, and

(iii) at the height of the cold war, nuclear weapon stockpiles were approximately 70 000 warheads and more than 40 000 have been dismantled;

(b) welcomes efforts taken by the Government to advance nuclear disarmament diplomacy, including the establishment of the International Commission on Nuclear Non-proliferation and Disarmament and the request for the Joint Standing Committee on Treaties to undertake an inquiry into the nuclear non-proliferation and disarmament treaties involving Australia; and

(c) calls on the Government to support the United Nations General Assembly resolution on the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons.

Senator LUDWIG: To move:

That, in accordance with subsection 10B(2) of the Health Insurance Act 1973, the Senate approves the Health Insurance (Extended Medicare Safety Net) Amendment Determination 2011 (No. 3) made under subsection 10B(1) of the Act on 26 September 2011.

Senator HANSON-YOUNG: To move:

That the Joint Select Committee on Australia's Immigration Detention Network be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 22 November 2011, from 4 pm.

Senator MARK BISHOP: To move:

That the Joint Committee of Public Accounts and Audit be authorised to:

(a) hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate on Wednesday, 2 November 2011 followed by a private briefing, and Wednesday, 23 November 2011, from 11 am to noon, and 11 am to 1 pm, respectively; and

(b) hold a public meeting during the sitting of the Senate on Wednesday, 2 November 2011, from noon to 1 pm.

Senator FISHER: To move:

That the time for the presentation of the report of the Environment and Communications References Committee on recent programming decisions made by the Australian Broadcasting Corporation be extended to 13 October 2011.

Senator SINGH: To move:

That the Joint Standing Committee on Migration be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 2 November 2011, from 10.30 am to noon.

Senator XENOPHON: To move:

That—

(1) The following matter be referred to the Economics References Committee for inquiry and report by 28 February 2012:

The impact of fixed currencies on international trade and the potential consequences on Australian jobs and industries as a result of goods being imported from countries with artificially suppressed currencies.

(2) In undertaking the inquiry, the committee must consider:

(a) the effect of fixed currencies on the price of imported and exported goods;

(b) whether it is desirable that all countries have floated currencies;

(c) the ability for domestic industries to fairly compete against imported goods from countries which do not have floated currencies;

(d) whether there are any existing trade remedies available to support Australian industries which compete against imports from countries which do not have floated currencies;

(e) possible tools and trade remedies to compensate for, or otherwise redress, those currency fluctuations that may impair commitments undertaken by members in successive rounds of trade negotiations;

(f) whether Australia's anti-dumping regime needs to take into account the impact of fixed currencies;
(g) the effect that fixed currencies have on Australia's terms of trade; and

(h) any other related matters.

Senator SINGH: To move:

That the Joint Standing Committee on Treaties be authorised to hold a public meeting during the sitting of the Senate on Monday, 31 October 2011, from 10 am to 1.30 pm.

Senator SIEWERT: To move:

That the time for the presentation of the report of the Community Affairs References Committee on regulatory standards for the approval of medical devices be extended to 8 November 2011.

Senator LUDLAM: To move:

That the Senate—

(a) notes:

(i) the approval given by the Minister for Sustainability, Environment, Water, Population and Communities (Mr Burke) for the Olympic Dam uranium mine expansion,

(ii) that the proposal will lead to the dumping of 70 million tonnes of carcinogenic radioactive tailings every year on the surface, with no requirement for isolation of radioactive tailings waste from the environment for at least 10 000 years nor for disposal of tailings into the pit as is required at the Ranger uranium mine,

(iii) that assessment criteria for the Mine Closure Plan will be drafted by BHP Billiton and conditions for long-term surface management of the tailings are yet to be decided between BHP Billiton and the Commonwealth,

(iv) that the proposal will create a pit 4.5 km long, 3.5 km wide and 1 km deep with no plans for rehabilitation of this pit at the closing of mine operations,

(v) that by 2020, the tailings storage facility will leak up to 8 million litres of liquid radioactive waste a day into regional groundwater,

(vi) that the project will generate at least 4.2 million tonnes of greenhouse gas emissions per year for decades, and

(vii) that the sale of uranium in bulk concentrates is not sanctioned under Australia's bilateral uranium sales agreements, a treaty has yet to be negotiated with China, put to the Joint Standing Committee on Treaties for inquiry and thereafter to the Australian Parliament; and

(b) calls on the Government to reverse this decision in the light of BHP Billiton's decision to proceed with 'world's worst practice' uranium mining.

Senator LUDWIG: To move:

That—

(1) Divisions may take place before 12.30 pm on Monday, 31 October 2011 and 7 November 2011.

(2) On Wednesday, 12 October 2011:

(a) the hours of meeting shall be 9.30 am to adjournment;

(b) the consideration of government documents shall not be proceeded with; and

(b) the question for the adjournment of the Senate shall be proposed after all questions relating to the introduction of the Clean Energy Bill 2011 and 17 related bills have been finally considered.

Senator LUDWIG: To move:

That—

(1) Divisions may take place before 12.30 pm on Monday, 31 October 2011 and 7 November 2011.

(2) On Thursday, 13 October 2011:

(a) the hours of meeting shall be 9.30 am to adjournment;

(b) consideration of general business and consideration of committee reports, government responses and Auditor-General's reports under standing order 62(1) and (2) shall not be proceeded with;

(c) the routine of business from not later than 3.45 pm shall be government business only; and

(d) the question for the adjournment of the Senate shall be proposed after all questions relating to the introduction of the Clean Energy Bill 2011 and 17 related bills have been finally considered.
Senator LUDWIG: To move:
That, on Thursday, 13 October 2011, the routine of business from 1 pm till not later than 2 pm shall be government business orders of the day relating to the following bills:
- Tax Laws Amendment (2011 Measures No. 6) Bill 2011
- Banking Amendment (Covered Bonds) Bill 2011
- Customs Amendment (Anti-dumping Measures) Bill 2011
- Customs Amendment (Anti-dumping Improvements) Bill 2011
- Business Names Registration Bill 2011
- Business Names Registration (Transitional and Consequential Provisions) Bill 2011
- Business Names Registration (Fees) Bill 2011
- National Vocational Education and Training Regulator Amendment Bill 2011
- Indigenous Affairs Legislation Amendment Bill (No. 2) 2011
- Defence Legislation Amendment Bill 2011
- Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011
- National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011.

Senator IAN MACDONALD: To move:
That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold an in camera hearing during the sitting of the Senate on Thursday, 13 October 2011, from 11 am to noon.

Senator HANSON-YOUNG: To move:
That the Senate expresses its deep concern for the welfare of Iranian actress Ms Marzieh Vefamehr who has been sentenced in Iran to one year in jail and 90 lashings for her role in the South Australian produced film My Tehran For Sale.

Senator LUDWIG: To move:
That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
- Business Names Registration Bill 2011
- Business Names Registration (Transitional and Consequential Provisions) Bill 2011
- Business Names Registration (Fees) Bill 2011
- National Vocational Education and Training Regulator Amendment Bill 2011.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (15:38): I give notice that, on the next day of sitting, I shall move:
That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
- Business Names Registration Bill 2011 and two related bills, and the
- National Vocational Education and Training Regulator Amendment Bill 2011.
I also table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statements incorporated in Hansard.

Leave granted.

The statements read as follows—
STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2011 SPRING SITTINGS
BUSINESS NAMES REGISTRATION BILL
BUSINESS NAMES REGISTRATION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL
BUSINESS NAMES REGISTRATION (FEES) BILL

Purpose of the Bills
To establish a national business names registration system. These cognate bills will cause the existing eight state/territory business names registration systems to be replaced by a single, national, online registration system for business
names and Australian Business Numbers (ABNs), thus enabling businesses to register for both a national business name and an ABN in one transaction.

Reasons for Urgency

The ABN/Business Name Project is part of the Council of Australian Governments (COAG), National Partnership Agreement To Deliver A Seamless National Economy, of December 2008. Establishing a national ABN/Business Names scheme requires a referral of constitutional powers from the states to the Commonwealth. The Commonwealth and each of the states, need to enact legislation to meet the COAG approved timeline, which will see the new national business names registration system commence on 28 May 2012.

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2011 SPRING SITTINGS

NATIONAL VOCATIONAL EDUCATION AND TRAINING REGULATOR AMENDMENT BILL

Purpose of the Bill

On 7 December 2009, the Council of Australian Governments agreed to the creation of a National Vocational Education and Training Regulator and a Standards Council. On 24 March 2011 Parliament passed the National Vocational Education and Training Regulator Act 2010 (the NVR Act). The NVR Act formed the national VET regulator as a new statutory authority, which will be known as the Australian Skills Quality Authority, with responsibilities and powers for the registration and auditing of registered training organisations (RTOs) and accreditation of courses in the VET sector. The NVR Act also established strengthened mechanisms for the monitoring and enforcement of the regulatory framework.

The bill addresses particular concerns and recommendations identified by the Standing Committee for the Scrutiny of Bills Committee and the Education, Employment and Workplace Relations Committee that were unable to be addressed prior to the passage of the NVR Act.

Reasons for Urgency

Introduction and passage of the bill through Parliament is a prerequisite to the further text based referral of powers by state governments.

New South Wales has made a text based referral of powers to the Commonwealth. Three other states have indicated that they will make referrals to the Commonwealth to empower the National VET Regulator and two states have indicated that they will pass mirroring legislation. Timely passage of the bill is therefore necessary to provide clarity to those states referring powers to the Commonwealth and certainty to those states that are mirroring the legislation as to what they need to legislate.

BUSINESS

Consideration of Legislation

Senator LUDWIG: I move the motion in the terms circulated in the chamber relating to the consideration of private senators’ bills:

That the following list of general business orders of the day be considered under the temporary order relating to the consideration of private senators’ bills on Thursday, 13 October 2011:

No. 71 Auditor-General Amendment Bill 2011

No. 60 Carbon Tax Plebiscite Bill 2011 [No. 2].

Question agreed to.

COMMITTEES

Foreign Affairs, Defence and Trade References Committee

Meeting

Senator KROGER: by leave—On behalf of the Chair of the Foreign Affairs, Defence and Trade References Committee, Senator Eggleston, I move:

That the Foreign Affairs, Defence and Trade References Committee be authorised to hold a public meeting during the sitting of the Senate today, from 5 pm, to take evidence for the committee’s inquiry into the Government’s
response to kidnappings of Australian citizens overseas.

Question agreed to.

BUSINESS

Leave of Absence

Senator KROGER: by leave—I move:

That leave of absence be granted to Senator Bushby for 12 October 2011, for parliamentary reasons, and that leave of absence be granted to Senator Heffernan for 13 October 2011, for personal reasons.

Question agreed to.

COMMITTEES

Gambling Reform Committee

Meeting

Senator McEWEN: by leave—On behalf of the Joint Select Committee on Gambling Reform, I move:

That the Joint Select Committee on Gambling Reform be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 4 pm, followed by a private briefing.

Question agreed to.

Public Accounts and Audit Committee

Meeting

Senator McEWEN: by leave—On behalf of Senator Bishop and the Joint Committee of Public Accounts and Audit, I move:

That the Joint Committee of Public Accounts and Audit be authorised to:

(a) hold a private meeting otherwise than in accordance with standing order 33(1), followed by a private briefing, during the sitting of the Senate on Wednesday, 12 October 2011, from 11.30 am to noon; and

(b) hold a public meeting during the sitting of the Senate on Wednesday, 12 October 2011, from noon to 1 pm.

Question agreed to.

Community Affairs References Committee

Meeting

Senator SIEWERT: by leave—On behalf of the Community Affairs References Committee, I move:

That the Community Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 4.30 pm.

Question agreed to.

NOTICES

Postponement

The following items of business were postponed:

General business notice of motion no. 227 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the introduction of the Protecting Children from Junk Food Advertising (Broadcasting and Telecommunications Amendment) Bill 2011, postponed till 1 November 2011.

General business notice of motion no. 438 standing in the name of Senator Siewert for today, relating to the North West Slope Trawl Fishery, postponed till 12 October 2011.

COMMITTEES

Electoral Matters Committee

Meeting

Senator McEWEN: At the request of Senator Carol Brown, I move:

That the Joint Standing Committee on Electoral Matters be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 12 October 2011, from 9.30 am to 11 am, to take evidence for the committee’s inquiry into the funding of political parties and election campaigns.

Question agreed to.
Community Affairs Legislation Committee
Meeting
Senator McEWEN: At the request of Senator Moore, I move:
That the Community Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 11 October 2011, from 4 pm.
Question agreed to.

BUSINESS
Senate Temporary Orders
Senator LUDWIG: I move:
That the following operate as a temporary order with immediate effect until the conclusion of the 43rd Parliament:
Standing order 18 establishing the Committee of Privileges be amended as follows:
(a) in paragraph (1), omit “7”, substitute “8”; and
(b) omit paragraph (3), substitute:
(3) The committee shall consist of 8 senators, 4 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate and 1 nominated by a minority party and independent senators.
Question agreed to.

COMMITTEES
Community Affairs References Committee
Meeting
Senator SIEWERT: I move:
That the Community Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 12 October 2011, from 4 pm.
Question agreed to.

MOTIONS
Mental Health
Senator WRIGHT (South Australia) (15:43): I, and also on behalf of Senator Moore and Senator Humphries, move:
That the Senate—
(a) notes that:
(i) 10 October was World Mental Health Day which aims to raise public awareness about mental health issues worldwide,
(ii) this event promotes open discussions on illnesses, as well as investments in prevention and treatment services,
(iii) Mental Health Day falls within Mental Health Week which in 2011 will be celebrated from 9 October to 15 October 2011,
(iv) 1 in 5 of us in 2011 will experience a mental illness and at any given time more than 600 000 Australians are affected by severe mental illness,
(v) ready access to services can dramatically reduce long-term disability resulting from mental illness, and
(vi) all Australians share a responsibility to minimise the discrimination faced by people affected by mental illness;
(b) recognises that:
(i) mental illness is experienced across a lifespan and most illnesses emerge before the age of 25,
(ii) most people affected by mental illness can recover a good quality of life with the right supports and community acceptance,
(iii) services responding to mental illness should not be confined to health care and community based services have an important role to play,
(iv) services must recognise and respond to the impact of mental illness on families and carers, and
(v) in the Australian context better integration of Commonwealth and state services is essential to deliver the holistic care required by people experiencing mental illness as well as their families and friends; and
(c) calls on the Government to:

(i) collaborate effectively across all tiers of government and across the full range of health, community, housing, employment and education services to ensure properly integrated responses to mental illness,

(ii) recognise that the health system's response to mental illness must address the poor physical health status of people affected by mental illness, including higher rates of most major diseases and reduced life expectancy, and

(iii) recognise that the burden of mental illness ranks among the most serious health problems faced by Australians and continue to build the capacity of the mental health system to reflect this.

Question agreed to.

**Container Deposit Scheme**

Senator **LUDLAM** (Western Australia) (15:44): I move:

That the Senate—

(a) notes:

(i) that the Northern Territory Government adopted legislation to launch a territory-wide container deposit scheme from 12 January 2010,

(ii) that Coca Cola Amatil has proposed legal action against the Northern Territory Government citing a breach of section 9 of the Mutual Recognition Act 1992, and

(iii) Clean Up Australia's activities throughout Australia over the weekend of 16 September and 17 September 2011; and

(b) calls on the Australian Government to adopt a container deposit scheme by all states and territories, effectively annulling the proposed court action by Coca Cola Amatil.

Question put.

The Senate divided. [15:49]

(10 Ayes, 32 Noes, 22 Majority)

AYES

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Question negatived.

**Asylum Seekers**

Senator **HANSON-YOUNG** (South Australia) (15:52): I move:

That the Senate—

(a) notes the current dismal state of debate on asylum seeker policy in Australia with:

(i) the Prime Minister (Ms Gillard) calling the Leader of the Opposition (Mr Abbott) hypocritical, and

(ii) the Leader of the Opposition (Mr Abbott) calling the Prime Minister (Ms Gillard) hypocritical; and

(b) calls for Australia's international refugee obligations to be respected.

Question put.

The Senate divided. [15:53]

(10 Ayes, 32 Noes, 22 Majority)

AYES

| Brown, RJ | Di Natale, R |

NOES

| Back, CJ | Bilyk, CL |
| Bishop, TM | Boswell, RLD |
| Cameron, DN | Cash, MC |
|...|...|...|
| Urquhart, AE | Williams, JR |
Tuesday, 11 October 2011

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES

Back, CJ
Bilyk, CL
Bishop, TM
Bernardi, C
Boswell, RLD
Cash, MC

Palestine

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (15:56): I move:

That the Senate—

(a) notes the asseveration of the Prime Minister (Ms Gillard) that, in the issue of relations between Palestine and Israel, 'direct negotiation is the only true path to peace';
(b) recognises that negotiations are most likely to succeed if they are between equals; and
(c) backs the United Nations initiative for recognition of Palestine as a member state.

Question put.
The Senate divided. [15:57]

Private Senators' Bills

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (16:00): I move:

That the first bill listed for private senators' time each week shall be brought to a third reading vote, unless the Senate, on that day, decides otherwise.

Question put.
The Senate divided. [16:02]
Question negatived.

Same-Sex Relationships

Senator HANSON-YOUNG (South Australia) (16:05): I move:

That the Senate—

(a) notes the recent motion passed by the Tasmanian Parliament regarding same-sex marriage that stated that the House:

(i) supports marriage equality, and

(ii) calls on the Parliament of the Commonwealth of Australia to amend the Commonwealth Marriage Act 1961 to provide for marriage equality; and

(b) accepts the call for marriage equality.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry, Manager of Government Business in the Senate and Minister Assisting the Attorney-General on Queensland Floods Recovery) (16:05): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator LUDWIG: The Australian Labor Party's position on this issue of same-sex marriage is consistent with the party's national platform. The Prime Minister has made it clear that this will be the subject of a debate at the ALP national conference in December when the party platform will be reviewed and debated.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (16:06): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator BOB BROWN: That statement from the Manager of Government Business in the Senate should not deter Labor senators, like Senator Carol Brown, from supporting this motion, which went through the state parliament. The motion calls on the parliament of the Commonwealth of Australia to amend the Commonwealth Marriage Act 1961 to provide for marriage equality. This motion should be supported by those Labor members who have already made it clear that they support this very motion.

Question put:

That the motion (Senator Hanson-Young's) be agreed to.

The Senate divided. [16:11]

(The Deputy President—Senator Parry)

Ayes .................. 9
Noes .................. 29
Majority ................ 20

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES

Bernardi, C
Bilyk, CL

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CHAMBER
Question negatived.

MATTERS OF PUBLIC IMPORTANCE
Carbon Pricing

The DEPUTY PRESIDENT: A letter has been received from Senator Fifield:

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

The harmful and damaging effects of the Gillard Government's proposed carbon tax on regional Australia.

Is the proposal supported?

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

Senator BOSWELL (Queensland) (16:14): It is very timely that this matter be debated in the Senate. This is a disaster facing Australia—a carbon tax—and it will be a greater disaster for rural and regional Australia, where everything has to be carried in or taken out. It is going to be not only a carbon tax but a tax on transport that fits in with a carbon tax, and rural Australia is going to pay a very heavy price for this.

It does not really have to. The Labor vote in New England was eight per cent, and the Labor vote in Lyne was 13 per cent, yet those representatives are going to vote for a carbon tax that is going to hit rural and regional Australia desperately. When you think about this, you would have to think this is the greatest sell-out since Judas Iscariot took 30 pieces of silver. That is what it amounts to. These people have betrayed their electorates. The National Party whip took a survey the other day in New England and in Lyne, and that vote was 89 per cent against a carbon tax in New England and 87 per cent against a carbon tax in Lyne. Yet these two people are going to vote for a carbon tax that is going to hit their electorates harder than any other electorates. What a betrayal! What an absolute, total betrayal of the people that they represent! I expect both of them are looking for alternative areas to get an income from after the next election, and that next election is going to come around one way or another—maybe in three months time; maybe in six months time—and the people are going to seek their vengeance for this carbon tax. But none will be seeking it harder than the people in regional Australia.

But, before we get onto the effects of what is going to happen in regional Australia, this carbon tax really is unworkable. The Labor Party say that it is the greatest thing for Australia, but there is no modelling done. Senator Wong has said today that the modelling is available. ABARES modelling is not available. The ABARES modelling that this carbon tax is based on is not available. I have asked questions in the estimates committee. People have gone down and tried to buy it and have been refused. So how can anyone go to Australia and say, 'Here is a plan, and that plan is based on a model, but no-one has seen the model'? It is not just Senator Ron Boswell saying that; it is people like McKibbin and Ergas, who are some of the most prominent economists in Australia. They cannot get the
model. They do not know what is in the modelling.

The modelling is based on assumptions, and the assumptions are that the rest of the world is going to do this by 2016. The rest of the world have shown no indication of doing it at all—none whatsoever—yet the Labor Party merrily goes along and says, 'The modelling is there.' The modelling is not there, and I will give a donation to the Labor Party if it produces this modelling. I will even give it to your union, Senator Cameron. That is how confident I am that the modelling is not available and never will be available, because if it were available then it would be out there in a package put in every letterbox if it proved that the Labor Party modelling was accurate and that there would be more jobs and more income coming in. The reason that modelling is not available and never will be available is that it would disprove what the Labor Party have said. The committee has written to the Treasurer, and the Treasurer has said the modelling is not available. People in various peak bodies have gone down and tried to find the modelling, yet we are told it is not available.

So the whole thing becomes a farce. The whole carbon tax is a farce because there is nothing it is based on—only the assumption that the rest of the world is going to get there by 2016. India is not going to get there. America is not going to be in it. Tokyo will not do it if America does not do it. India has said it is not going to do it. Jakarta cannot do it. The rest of the world will not get there. Yet we proceed down here, and the people that are going to get crushed the hardest are going to be the people from rural and regional Australia.

When you go through it and look at all industries out there—the dairy industry; the aviation industry; abattoirs; fruit; vegetables; fish processors—everything that moves in and out of Australia's regional areas is going to get hit. The greatest creator of jobs in Australia at the moment—it employs 200,000 people in rural and regional Australia—is the mining industry. It has 200,000 direct employees and 600,000 indirect employees, and it accounts for 55 per cent of the exports in Australia. One in four regional jobs depends on exports, and a carbon tax is going to hit that industry to the tune of $25 billion. That is what the carbon tax is going to cost. That is not what the mining tax is going to cost on top of that; that is what the carbon tax is going to cost. Then to come in here and say, 'Well, we're going to create jobs; everything's going to be all right in rural Australia,' is just an absolute nonsense, and the fact is that everyone knows it. That is why the vote of the Labor Party is so low. That is why the Labor Party is bottoming out at around 26 per cent. The sooner the election comes, the better it will be for all of us.

I had a call the other day from a very irate person. He said I could use his name, so I will use his name. People in Brisbane will know the company I am talking about. It is Morgans Seafoods from Redcliffe. Morgans have a fishing company and they have a restaurant. In the restaurant, electricity charges are going to go up $7,856 in 2013 and by 2015 they will have gone up by $8,679. That is for the restaurant. For their wholesale fish coldroom, electricity charges will go up $16,982—effectively $17,000—in 2014 and by 2015 they will have gone up by $18,762.

Every farm that produces fruit or vegetables has a coldroom. The carbon tax will mean those coldrooms will cost an extra $15,000, $16,000 or $18,000 to run. Every farm that produces food puts it in a coldroom. It is transferred in a refrigerated truck into another coldroom. So there is going to be a carbon tax on every piece of food that goes into or out of a farm.
There is going to be a carbon tax on fuel. It starts off at 6c a litre and it works its way up. For vehicles that are under 4½ tonnes, it starts off at 5.52c in 2013 and in 2014 it goes to nearly 7c. That is going to add to the cost of every piece of food—(Time expired)

Senator CAMERON (New South Wales) (16:24): I always like following Senator Boswell in a debate on climate change because I always like to say that at least Senator Boswell is not like the majority of the coalition in the Senate—he does not hide the fact that he does not believe in climate change. Senator Boswell does not think that the sea level will rise; Senator Boswell does not think it is going to get warmer; Senator Boswell does not think that the Great Barrier Reef is under threat; and Senator Boswell thinks that we can keep ploughing CO2 into the atmosphere, polluting the atmosphere, with absolutely no consequences. At least Senator Boswell actually believes that.

The ones who are the problem are those in the coalition who actually know that CO2 is damaging to the future of this planet and who actually know that future generations will pay a huge price in their living standards and in terms of the environment. They are the ones who will pay the price—future generations. It is clear on any economic analysis that the best way to deal with carbon pollution is to put a price on that pollution. Senator Boswell says that no-one is doing anything. That is part of the misinformation; that is part of the fear campaign that is underpinning the coalition's approach to this very important issue. In fact, the opposite is the truth. China is the biggest producer and user of renewables—

Senator Williams: And coal.

Senator CAMERON: Senator Williams says they are also the biggest producer of coal. That is correct—they are the biggest producer of coal, they are the biggest user of coal and they are at the forefront, along with the Australian government, in trying to produce carbon capture and storage processes to make sure that we can continue to use coal.

The scare campaign which has been run by the coalition is simply short-termism. It is about trying to get short-term political advantage. It is about saying, 'We do not really care about future generations.' You do not care about my grandkids. Some of you do not even care about your own family's future if there is some kind of short-term advantage politically. The scientific facts are clear—there is an imperative to deal with climate change. Some in the coalition understand this. The member for Wentworth, Malcolm Turnbull, knows that full well. He knows that you have to deal with climate change. Your former leader was knocked off because he actually spoke the truth in the coalition party room. He was knocked off because he said the best way to deal with climate change is to put a price on carbon.

The majority in the coalition actually reject the science. They are antiscientific. They are absolutely antiscientific.

Senator Bernardi interjecting—

Senator Williams interjecting—

Senator CAMERON: You can hear the groans coming from the coalition—the groans and moans: They've got us again. Yes, we are antiscientific, but please don't tell us, because we don't like being told that we are antiscientific. You are absolutely antiscientific, because the science says that you have to deal with climate change and what is your answer to that? Your answer is: direct action. What is direct action? Direct action is a fraud. Direct action is the biggest fraud anyone has ever attempted to perpetrate on the Australian community. It is such a fraud—the CSIRO has looked at the argument that you can have all of this
climate abatement through soil carbon and has said that it is not achievable.

You will be consigning future generations to ever-increasing sea levels, ever-increasing carbon in the atmosphere and ever-increasing environmental problems, affecting their ability to have a decent life. There is a sound economic basis for what the government is doing; there is absolutely no economic basis for the coalition's policy. The argument that we are acting alone is wrong. The European Union has its carbon abatement scheme in place—a carbon trading scheme—and the rest of the world is moving to reduce carbon. The Commonwealth's modelling is the most effective modelling around to predict what will happen.

We heard a bit said earlier about Professor Henry Ergas. It always amuses me to hear the coalition use Professor Ergas as an expert on what should be done. This is a man who ran a company that was put into liquidation. He tells us at committee after committee: 'I can't run my own company. My company went into liquidation but listen to me and I will tell you how to run the country.' What an absolute joke! Up comes Professor Ergas time and time again, telling people what they should be doing when he could not even run his own company. Maybe it was because the coalition did not pay their bills. I am not sure because he was the chief economist for the coalition in opposition and he was the guy who ran all of the coalition's arguments on economic policy. All of them were wrong; all of them were bad; all of them were crook. So do not quote Professor Ergas as some authority on anything when he could not even run his own company.

We heard the argument that there was all doom and gloom out there in the regions. I just had the good fortune to hear Mackay Sugar—what could be more regional than Mackay Sugar, a 140-year-old canegrowing company?—say that, yes, you have to put a price on carbon and yes, it is going to mean great opportunities for us. What are their opportunities? They are going to diversify their operation and they are constructing a $120 million renewable co-generation plant which will supply about one-third of Mackay's electricity. How can they do that? They can only do it because there is a price on carbon and there is a renewable energy target. It is a federal government initiative. That is the only thing they can do.

Senator Sterle: It's gone all quiet over there.

Senator CAMERON: It has gone all quiet over there. These are canegrowers, people who actually understand the economics of doing something. They said that they will contribute to Australia's renewable energy market. Their perspective is that it is not a job destroyer, that the $120 million co-generation plant was based on the 20 per cent renewable energy scheme. They say, 'The carbon tax should enhance our revenue from co-generation.' That is what is happening. 'And we are hoping it will allow us to go ahead with another co-gen plant within a couple of years. These projects typically employ about 250 people during the construction period and a dozen or so under operations.' So, hundreds of construction jobs and dozens of full-time jobs being created because we are taking an initiative to put a price on carbon. It is only those on the other side who would deny this. Not only do they deny the science, but also they deny the economics. If you accept the science then you have an obligation to put up a proposition that reduces our carbon pollution at the least cost price. That is what the government has done. We have taken advice and that advice is to put a price on carbon and let the market determine the price. You put your cap in place, you put your price in place and you allow the market
to determine the process. That is what is important for this country because we are about the future, not the past. We are about science and not being unscientific. We are about ensuring that future generations have a way forward for a decent environment in this country.

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (16:34): I must comment on the 'short political gain' to the coalition that Senator Cameron referred to on this issue. I wonder then how he regards Ms Gillard's promise four days before the election that 'There will be no carbon tax under a government I lead.' I wonder if that was 'short political gain'? I think it would have been. What if she had said, 'If we win this election, we are going to introduce the biggest and most expensive carbon tax in the world and after three years we will move to an emissions trading scheme and, by the way, after two years we will inflict what Mr Sheldon from the Transport Workers Union calls a 'death tax' on the transport industry'?

But back to the debate about regional Australia. Senator Cameron only ever mentioned Mackay—he did not mention any more of regional Australia, where we now pay the highest electricity bills. In regional New South Wales we spend 25 per cent more on electricity than those consumers in Sydney. People in regional Victoria spend 30 per cent more on electricity than those in Melbourne. In regional Queensland, they spend six per cent more on electricity than those in Brisbane. This is the point that Senator Boswell made today about the cost on regional Australia.

We cannot have a Senate inquiry into this legislation. The house of review in our federal parliament cannot have an inquiry into the carbon tax. The government just shuts down the Senate and does not let it do its job. But in the recent inquiry by the Joint Select Committee on Australia's Clean Energy Future Legislation—it was an inquiry of just a few-weeks; it had to be guillotined and then shut down—the Nationals member for Dawson, Mr Christensen, quoted the following statement from Mr Garnaut's report:

From the commencement of an emissions trading scheme costs of agriculture inputs—electricity, liquid fuel and fertiliser—will rise. This will particularly affect parts of the sector where energy costs and energy-dependent costs are a large proportion of total costs.

These are the words of Professor Garnaut. When questioned about that quote Professor Garnaut said:

Yes, that is quite true and not at all inconsistent with what I have said before.

Mr Christensen, the member for Dawson, again quoted from Mr Garnaut's report, which said:

... imposing a carbon price in Australia ahead of similar carbon constraints in our trade competitors ... could result in some movement of emissions-intensive, trade-exposed industries from Australia to other countries that impose less of a carbon constraint.

That is what Professor Garnaut says. This is the point—what is going to happen to regional Australia?

We know about the deal done with the Greens. But the Independents—Tony Windsor, the member for New England, and Rob Oakeshott, the member for Lyne—said the deal for putting this government in place was all about protecting regional Australia. It is not uncommon for Mr Windsor to do surveys in his electorate. He did a recent survey on taxation reform, euthanasia and same-sex marriage. He got 1,600 responses to the survey from right throughout his electorate. Recently I sent out 57,000 survey forms on the carbon tax in the seat of New England, where there are about 93,000
voters. I did not get 1,600 back—more than 5,000 were returned. Nine per cent of the forms were returned to my office. Those 9 per cent indicated that 89 per cent of the people in New England opposed the proposed carbon tax put together by Mr Windsor. He was the one who said proudly that one of the aspects of the deal to put Ms Gillard into the Lodge and Labor and the Greens alliance into government was the formation of the Multi-Party Climate Change Committee, driven by Mr Windsor.

In the last parliament Mr Windsor put up a private members bill for a massive 30 per cent reduction in emissions by 2020 based on 1990 levels, and by 2050 a massive 80 per cent. On ABC radio prior to the 21 August election last year, Kelly Fuller asked Mr Windsor why he put those bills in and he said they were not his bills; he was just putting them in on behalf of some of his constituents, representing his constituents. He ran adverts saying he was the people's representative, but he will not survey the people of New England on his proposed carbon tax that he has worked on putting together with the committee.

I sent 62,000 survey forms out into the seat of Lyne, held by Independent Rob Oakeshott, and 3,740 households want Rob Oakeshott to vote against the carbon tax and just 542 want him to vote for it. On that basis, 87 per cent of the people in Lyne do not want this carbon tax to proceed. These are the two Independents that keep the government in government. Are they the people's representatives? Not only were those forms returned, but there were many comments. There was a comment from Glen Innes saying:

... disgusting the way Labor twists their failures and blames others, Tony Windsor betrayed us. Labor do not care for the people—they are self driven.

One person in Inverell said they:

... will not vote for an Independent again State or Federal.

From Tamworth, where we had the biggest opposition to the carbon tax, 1,278 households opposed the carbon tax and just 217 supported it. Tamworth people said:

Windsor sold us out. We cannot get any poorer. What is next—will Gillard send us out in boats and get more in?

They are some of the many comments written on the survey forms. So what do we have? We have a carbon tax proposal for regional Australia. As I said, we already pay the extra electricity costs. We have the extra cost of many goods because of the freight component, and that is going to go up. There is even a tax on domestic airlines. What about crop dusters and other agricultural planes? They have been classified as domestic airlines. Crop dusters in Armadale will be paying an extra $40,000 a year on their fuel costs alone—to do what?

Last year China increased their consumption of coal by 434 million tonnes. Australia's total production of coal last year was 420 million tonnes. We are one of the few countries that actually burnt less than we did the year before—3.6 per cent less. China is now producing 51 per cent of the world's coal and they consumed, last year, 3,200 million tonnes of coal. As I said, their consumption increased by more in one year than the whole of Australia's output of coal—and we are going to save the planet! According to Treasury figures, this year China will produce 10.3 billion tonnes of CO2. That will go up to 17.9 billion tonnes by 2020—a 7,600 million tonne increase in CO2 by 2020. Australia's production is going to go up 43 million tonnes—and we are going to change the planet. After this tax there will be no more droughts in regional Australia, no more floods, and cyclones will disappear.
This is outrageous. The cost is greatest on regional Australia. As I said, people in the Labor Party, supported by the Transport Workers Union, should hang their heads in shame—a $510 million tax a year on the truckies when they have already introduced their Euro 5 motors, which are far cleaner than the older style motors, with far less pollution, though they do use 10 per cent more fuel. Hence the truckies have already paid their tax by cleaning up their motors. Tony Sheldon from the Transport Workers Union told the Senate inquiry, chaired by my colleague Senator Cormann, that this is a death tax on truckies. I think the words he used were that we were sweating the drivers longer and sweating the trucks longer, putting drivers' lives at risk. That is what the Transport Workers Union says. I wonder whether those on the other side, who are supported by the Transport Workers Union, will heed the warning of Mr Sheldon. This is a cost on regional Australia when we need the truckies to take our exports to the waterfront, when we need so much brought into our regions where we do not have rail networks. If only we had spent what we spent on school buildings on the rail network, or if the pink batts money had been spent on our rail network or our ports, then we would really have been making progress.

Today at question time I asked about the effect of the carbon tax on abattoirs. There will be a $1.74 million cost to the Bindaree Beef abattoir, in Inverell, in the first year. That cost will not be inflicted on abattoirs in America or Brazil, who we compete against—especially America. We are battling to keep our markets in Japan and Korea et cetera, but the Americans will not face that cost. They will simply be emitting more. That is why this is so wrong. It is a cost to the very sector that provides our nation's wealth. We have heard from the Australian coal industry what effect it will have on them. As I said, last year China increased its consumption of coal in one year by more than the whole of Australia's production of coal—but somehow we are going to change the planet, change the atmosphere, lower the temperatures and the lower the sea levels. It is a farce.

Senator THISTLETHWAITE (New South Wales) (16:44): This matter of public importance on carbon pricing before the Senate this afternoon is a clear demonstration of just how out of touch those opposite are when it comes to protecting the environment and the welfare and living standards of Australians living in rural and regional communities. If there is one group within those communities which stands to lose the most from inaction on climate change it is people in rural and regional economies. That is why this government is taking action on climate change. That is why we are acting to protect the long-term sustainability of our climate, regions and communities.

We believe that climate change is real. We believe that human induced activities are causing the warming of our planet. We heed the expert advice of scientists who, throughout the world and in Australia, have overwhelmingly said that the warming of the planet will see a greater incidence of floods, of extreme drought conditions, of coastal erosion and of extreme weather events. The nature of our climate and habitat and of our country and its position in the world mean that these risks associated with climate change will have a proportionately larger effect on many rural and regional communities and industries, in particular Australia's agriculture and aquaculture industries.

This is a point that was very well made by a farmer who attended a forum put on by the member for Calare, John Cobb, in Bathurst on 29 August. I attended that forum as the
duty senator for the seat of Calare. Unfortunately, the organisers of that forum did not allow me to speak. They did not want to hear what the government was doing to take action on climate change. But I was surprised when a farmer—quite a brave farmer—stood up in that forum and said that he believed that climate change was real. This person was a farmer who grew grapes for the wine industry in the local community, and he believed in climate change because he was beginning to see the effects on his crop. He was seeing changes in weather patterns. He was seeing a greater incidence of extreme weather events, including hail, and the potential damage that these would have on his crop. He was seeing pests appearing at times of the year that they were not supposed to appear. Most importantly, he said that he was investing in China. He had been to China and visited a number of regions there because of investment opportunities, and he was blown away by the fact that the Chinese government was taking action on climate change, that the Chinese economy is the biggest producer of wind turbines and of solar energy in the world and that the Chinese government has a five-year plan to transition to an emissions trading scheme.

His message to those people at the forum was: we need to get on board. We, as a community, a government and a nation, need to take action on climate change, and the longer we wait the greater the cost will be for our communities—particularly for those who live in rural and regional areas.

The Garnaut climate change review highlighted some of the potential effects of climate change on rural and regional communities. It highlighted that changes in climate will produce extreme changes in temperature, rainfall and extreme weather events that will affect water availability and change water and soil quality. It will pose increasing fire risks for rural and regional communities. It will see an increasing incidence of pests affecting crops and an increasing incidence of noxious weeds and disease. Those who work and live in our regions and those who work the land understand the effects of climate change and the potential risks that it poses for their livelihoods and for their communities. Most importantly, they also understand the potential damage that is done by us not acting and the potential increase in costs that they will bear if we delay in taking action. They are the most vulnerable. They are the people at the front line, who will potentially be affected the most by climate change if we do not act.

The Garnaut climate change review found that irrigated agricultural production in the Murray-Darling Basin could decline by 92 per cent by 2100 if we do not take action to reduce carbon emissions. It also highlighted increases in sea temperatures and the effects that this will have on aquaculture. Again, those who are working on the front line understand the importance of taking action.

I want to draw the Senate's attention to a report by Surf Life Saving Australia. The erosion of our coastline is a potentially damaging effect of rising sea levels, and Surf Life Saving Australia has commissioned a study to develop a climate change adaptation road map that will assist in the management of projected climate change impacts. These are the people on the front line, protecting our communities in surf life saving week in and week out. This study has shown that of the 128 surf clubs in New South Wales 47 per cent are located in coastal zones classified as zones of potential instability. Many of these are in rural and regional communities. Here we have a well-respected community organisation understanding that we need to take action on climate change and supporting what the government is doing.
The government also understands that there will be impacts associated with the transition to a clean energy future, and that is why we are working with rural and regional communities to make sure that transition is a smooth one and that we protect the livelihoods and incomes of people who work our land. That is why the government has excluded agricultural land sectors from the carbon price. However, there will be opportunities for those in these land sectors to secure economic rewards under the Carbon Farming Initiative. If farmers do take voluntary action under the Carbon Farming Initiative then there will be opportunities in terms of the way that scheme works. I attended a carbon farmers conference in Dubbo on 29 September. I was pleasantly surprised by the submissions that were made to that conference. That conference drew together carbon farmers not only from throughout Australia but from throughout the world. Many of them understand the opportunities that the Carbon Farming Initiative and the government's Clean Energy Future package will pose for those who work, day in, day out, on our land. I was really heartened by the fact that many at that conference expressed the view to me and to those present that Australia leads the world when it comes to carbon farming initiatives and new carbon farming techniques. Many of those farmers presented to the conference on some of the initiatives that they were taking on their land, particularly their non-arable land, their hilly country, and the plantings that they were using as carbon sinks and the opportunities that will come from the Carbon Farming Initiative once it is up and running. So there is widespread support for the scheme amongst the farming community. I was pleasantly surprised and heartened by the representations from those carbon farmers at that conference in Dubbo in late September.

Senator Boswell has raised the issue of modelling. I find this surprising, given the Liberal Party's performance when it comes to modelling on the carbon tax. I draw the Senate's attention to the modelling that was undertaken by the New South Wales government on the potential effects of carbon pricing on regions. They found through their modelling that there would be effects on employment in the Hunter Valley and the Illawarra. That is disputed and I will not go into that. But what they did not disclose to people was the fact that the modelling also showed that in other regions, including northern New South Wales, the mid-north coast and the south-east coast, there would be more job opportunities associated with the carbon pricing legislation—a clear demonstration of this misleading campaign that those opposite are running to try to hoodwink the public when it comes to this very important environmental issue.

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (16:54): I seek leave to table the results of the carbon tax survey I carried out in the seats of Lyne and New England and have them incorporated in Hansard.

Leave granted.

The document read as follows—

SURVEY OF THE NEW ENGLAND AND LYNE ELECTORATES

Subject — Carbon Tax

New England electorate — 57,700 forms distributed
Lyne electorate — 62,200 forms distributed.

Forms distributed by Australia Post w/c 19th September, 2011
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Senator COLBECK (Tasmania) (16:54):
What we are seeing this afternoon from the Labor Party—and it was quite a tragic performance from the last speaker, I have to say—is regional Australia being represented by speakers from the Labor heartland on this matter of public importance debate on the impact on regional Australia of Labor's carbon tax. They have sent in speakers in from Labor's heartland, senators who have their offices in Sydney, in Springwood, in the CBD of Sydney and in North Melbourne—the heartland of regional Australia! The old adage comes straight to the fore: do not listen to what the government say; look at what they do. The description of the Carbon Farming Initiative that was given by Senator Thistlethwaite a moment ago just staggers me. He was obviously sent in here to do a job. I understand that. That is the role that the government senators have been given—they are sent in to defend the government's position. But at least have some understanding of what you are talking about.

I spent two days at the Burnie Show just a week ago talking to farmers. They were lining up to talk to me as we were setting our stand up, telling us what the impact was going to be on them and their farms, particularly the dairy farms. They know that
the government's carbon tax is going to cost them on average $10,000 per dairy farm in direct costs and another $10,000 in costs back from the processor. The processing sector for food in this country—Australia's largest manufacturing sector—is severely hit by the carbon tax, and they know that the costs will be passed back to them, because that is what happens. So they are not fooled by all this rhetoric that is run out by the Labor Party in relation to the carbon tax.

Senator Williams talked about polling that he conducted in a couple of seats in New South Wales. There was some polling released in Tasmania on the Friday before last—in Burnie, just outside the show. That showed that 62 per cent of Tasmanians polled were either opposed to or unsure about the carbon tax—51 per cent of them directly opposed it and 11 per cent were unsure about it. The best that the government could do was 17 per cent—

**Senator Carol Brown:** Whose survey was that?

**Senator COLBECK:** It was done by EMRS actually, an independent poll. Only 17 per cent strongly supported the carbon tax. They cannot even do half the percentage of those that oppose it in Tasmania. That is also showing through in the more general polling about the government. In fact, there are predictions in Tasmania that the Labor Party will be third in the next poll, behind the Greens. You might be interested in that, Mr Acting Deputy President Ludlam. I know you cannot comment from the chair, but it might bring a smile to your face that the Labor Party could even be the third party in Tasmania at the next poll that comes along.

**Senator Marshall interjecting—**

**Senator COLBECK:** Another one of the city-centric senators has come in to talk about regional Australia. Welcome, Senator Marshall. It is good to see you here. It really is delightful to see you here to talk about regional Australia.

I was at a growers meeting on Wednesday night last week. They actually understand the climate. They understand seasonal variability. What they are concerned about is their R&D dollar—how it is apportioned, how it is spent, how the extension from that works. They are not running out telling me that they want a carbon tax. In fact, the attitude to it in the room was quite contrary to what we are being told about, particularly by Senator Thistlethwaite, who obviously has ventured outside the city on the odd occasion to talk to some constituents—which is encouraging, I have to say.

But then you look at the direct impacts. I have already mentioned the impact on the dairy industry, which is significantly impacted. The dairy industry and the beef industry, which Senator Williams has already mentioned, are the two agricultural sectors that are most severely impacted. Prime Minister Gillard—the name that the Labor Party dare not utter in the current debate—dropped into King Island a few weeks ago on the way to Tasmania to have a chat to the locals about the carbon tax and a number of other things. She tried to convince constituents that the impact would be less than one per cent. Unsurprisingly, they did not believe the Prime Minister, because they know that the cost of shipping will increase because there is no exemption for shipping fuel and that the cost of aviation will increase because there is no exemption for aviation fuel. Everything that comes in and goes out of King Island is either shipped or flown. People know that they will disproportionately be impacted in their regional community because of the impact of the carbon tax.

It would be nice if members of the government were prepared to actually
address the impact on regional Australia in their contributions to this debate. But they are not. They trot out the government's 'modelling' because that is all they have. Of course, regional Australia is expected to believe that the modelling which is done on a broad base can be extrapolated back to regional Australia. Regional Australians know it cannot be. The compensation, which is based on this broad based modelling, also does not fit regional Australia.

When the Prime Minister told constituents on King Island that they would be compensated for this less-than-one-per-cent cost to their economy (a) they did not believe that the cost would be limited to less than one per cent and (b) they obviously did not believe that the compensation would be adequate, either, because it will not. They know that the cost of their goods that come in by either ship or air will go up by more than that number. They know that, and that is borne out by the polling that has been done in Tasmania, which has the most regionally dispersed population of any state in the country. They know that and they understand that.

ABARES held their outlook conference in Launceston last week. The farmers actually do understand the real deficiencies in things like the Carbon Farming Initiative, where you cannot even plant a windbreak, because the government says it is common practice. We are not doing the things that we ought to be encouraging.

Then you come to what is as regional as anything that you will get, and that is my portfolio area, which is forestry. The government are not doing anything in that area that might be supportive of one industry that has a really strong capacity to benefit the globe. If that is what they say they want to do in respect of carbon storage, then they are driven by green prejudice and dogma. They exclude biomass from the carbon tax. Why? I have no answer to that, except for green dogma and prejudice. If you look at biomass—and the Greens have mentioned in this place our life-cycle costings of energy generation—you will see that it has four per cent of the emissions that coal has. So reduce your emissions by 96 per cent by using biomass. What do the Labor Party do? Obviously, at the insistence of the Greens—the Green masters say 'exclude biomass'—it is out of the carbon tax. Here we have a method where you could generate 8,000 gigawatts of energy without touching another twig or tree. Yet the Greens and the Labor Party rule this out. The Labor Party say that they are looking to reduce Australia's carbon emissions but what they really do in their legislation does not actually achieve that.

The Carbon Farming Initiative does not achieve that and the farmers know it. The carbon tax is a disaster for regional Australia and the farmers know it and they tell us. The Labor Party are right: the farmers are prepared to work with seasonal variation, they are prepared to manage their country sustainably, but the Labor Party's policy platform does not allow them to do that and does not provide incentives. Why rule out the opportunity to put in a windbreak? If a farmer is not doing that and you can put those trees, that biomass, which will store carbon as it grows, back into the landscape, why deny the capacity to do that? It is just absurd.

We hear rhetoric from the Labor Party, the dogma about the science and all that sort of stuff. I am not sure they actually believe it, because their policy at the end of the day does not achieve it. It certainly disadvantages regional Australia. Their modelling does not look at regional Australia; it just lumps them in with the rest of Australia and we are expected to accept this 0.7 of a per cent. Less than one per cent is what we are told time
and time again, and it just will not work for regional Australia. (Time expired)

Senator MARSHALL (Victoria) (17:05): The difficulty in engaging in this matter of public importance debate with the opposition is that they do not actually believe in climate change at all. They do not believe that the climate is changing and they certainly do not believe that the climate is changing due to human activity. The problem they have when coming into this place is that they do not want to engage in the science and they do not want to engage in a rational debate. All their utterances are about generating fear and trying to scare the public for their own short-term political opportunity. We see this because, while those over there say they do not believe in it and they do not believe that pollution is a bad thing for the environment, they still have their own policy, which seeks to reduce carbon emissions to the same level that we seek to reduce them to.

But the fundamental difference between the way the government goes about it and the way the opposition propose to go about it is that they say: 'You're still free to pollute. Pollute as much as you like. The biggest polluters in this country are free to continue to pollute our environment as much as they like.' The opposition will take taxpayers' dollars and give those taxpayers' dollars as a gift to those companies in the hope that they may introduce some carbon abatement and may reduce their emissions. They say, 'Pollute as much as you like,' and they expect us and the taxpayers to actually give those companies who are the biggest polluters taxpayers' money to help them through the process. Our approach is the one that is supported by the market. It is the approach that John Howard supported in the previous Liberal government. It is the approach that they came to after a long, detailed and lengthy study by Peter Shergold, on behalf of John Howard, for the previous coalition government. They came to the conclusion that the way to reduce our pollution of the environment was to put a price on it. There are a number of ways in which to put a price on it and, clearly, with our legislation we are now proceeding down a path of putting a price on pollution.

What is the importance of putting a price on pollution? We know the market reacts to price signals. Every time you put a price into the market, the market has to pay that price will seek to avoid it. How will it avoid it? It will be avoided by doing things in a more efficient manner, by investing in clean technology and in materials that cost less to heat and less to cool and by having buildings that cost less to heat and less to cool. New products will be developed in order to avoid paying that price signal, which will affect the way business conducts itself.

It is very important to keep focused in this debate. We know that the tax that will apply to pollution will apply to the 500 biggest polluters, not to anyone else. But we know that many of those companies, certainly in the first instance, will simply seek to pass on some of those costs, and it will work its way through the economy. But all the money raised through that tax still sends that price signal. It still puts a price on pollution so that people will try to avoid that process all the way through the economy, all the way through the market. Every cent raised will go into supporting households, jobs and new technologies that will help industries and our society adapt to the very important challenge ahead of us—that is, reducing pollution and the impact of human induced climate change.

I do believe in the science, and right across the world everyone else does. Australia is a little odd in the sense that we are having this debate when, really, the science has been settled for a long time. As a developed country we are in the position of...
knowing the effect of human induced climate change. We know what we have to do about it. We know that we can do something about it, yet those in the opposition simply seek to avoid the whole issue and use it as a political opportunity. Instead of taking the responsible path of acknowledging that the science is there, that overwhelming science is there, that we need to act and that we need to change the way in which we act in our society to reduce pollution, instead of acknowledging that we need to do something about it, they simply say: 'It's not real. It doesn't exist.' In fact, I think they have started up Friends of CO2. I think that former senator Nick Minchin and several other senators that I see on the other side—well, there are only three of them—

Senator Cash: The three likely culprits.

Senator MARSHALL: But three of the best ones, and they have probably joined the club too. Really, it is such an irrational process they have engaged in; they seek to engage in an irrational debate. But on this side of the chamber we know what we have to do and we know why we have to do it. I for one am not going to be condemned by my children and my grandchildren, and everyone else's children and grandchildren, for being part of the generation that probably consumed more of the Earth's resources than any other and that knew about the impact of climate change but refused to stand up and take responsibility for doing something about it when we could do something about it. We know, and every economist will tell you, that the earlier we act to reduce human emissions the cheaper it will be. John Howard knew it because that was the result of Peter Shergold's study. That is why the coalition had a plan which was effectively a carbon tax plan, and that is why we have one too. We know that the sooner we act the cheaper it will be for our economy.

We are not doing it for me; we are doing it for the next generation and the generations after that. We are taking responsibility for what has happened before us, but previous generations did know the impact of what we now know—that is, human induced climate change is actually happening. So we have an absolute obligation to act. We have a responsibility to future generations to act. We have an absolute responsibility to the environment to ensure that the market can help solve this problem for us. We as legislators need to do that. We need to put in place those market based signals and put a price on pollution.

That will drive many new industries. It will certainly change in many respects the way in which we work in our economy. But we will make sure that nine out of 10 households are not worse off. In fact they will be better off because we will put in place a compensation package to ensure that, whatever the impact of climate change is on them—and extensive economic modelling has been done on that—they will be compensated by the very tax that is raised from the biggest polluters. So we put the price signal on through the 500 biggest polluters, raise the money and compensate people with that money.

I have heard people say that that is just the money churn, but what they forget is how the market operates and how businesses will seek to become more cost-effective and more efficient. It will drive new technologies. It will drive R&D. People will seek to reduce their electricity bills. People will seek to reduce a whole range of polluting activities because that will now add a cost and, if they can avoid that cost, they will. If they do not try to avoid it, someone else will come along with a different style, a different technique or a different process, and they will avoid the cost and they will be cheaper. That is the way the market works. That competition will
be there and it will drive innovation; it will drive a change in the way that we act in our environment. It is essential to this country that we do that not only in the cities but also in the country.

We are not the only country that is acting. Right around the world people are well ahead of us in what they are doing to fight human induced climate change and its impacts. It is happening all around the world. We really need to get over this scare campaign, this irrational position that is constantly put by the opposition. Accept the science and let us get on with our responsibility as legislators and as Australians to do this thing.

The ACTING DEPUTY PRESIDENT (Senator Boyce): Order! The time for the debate has expired.

DOCUMENTS
Tabling

The ACTING DEPUTY PRESIDENT (Senator Boyce): On behalf of the President, pursuant to standing orders 38 and 166 I present documents listed on today's Order of Business at item 13, which have been presented to the Deputy President and temporary chairs of committees since the Senate last sat. In accordance with the terms of the standing orders, the publication of the documents was authorised.

The list read as follows—

(a) Committee reports
1. Finance and Public Administration Legislation Committee—Final report, together with the Hansard record of proceedings and documents presented to the committee—Exposure drafts of Australian privacy amendment legislation—Part 2—Credit reporting (received 6 October 2011).
2. Joint Select Committee on Australia’s Immigration Detention Network—Interim report (received 7 October 2011).
3. Select Committee on the Scrutiny of New Taxes—Interim report, together with the Hansard record of proceedings and documents presented to the committee—The Carbon Tax: Economic pain for no environmental gain (received 7 October 2011).

(b) Government documents
1. Australian Competition and Consumer Commission (ACCC)—Telecommunications reports for 2009-10—Report 1: Telecommunications competitive safeguards; Report 2: Changes in the prices paid for telecommunications services in Australia (received 23 September 2011)
2. Family Law Council—Report for 2010-11 (received 28 September 2011)
3. Department of Finance and Deregulation—Campaign advertising by Australian government departments and agencies—Report for 2010-11 (received 30 September 2011)
4. Final budget outcome 2010-11 (received 4 October 2011)
5. Department of Agriculture, Fisheries and Forestry—Report for 2010-11 (received 6 October 2011)

(c) Report of the Auditor-General
Australian National Audit Office—Report for 2010-11—Corrections (received 23 September 2011)

(d) Return to order
Correspondence—Order for the production of documents—New Zealand—Export of apples to Australia (motion of Senator Colbeck agreed to 20 September 2011) (received 7 October 2011)

(e) Letters of advice relating to Senate orders
1. Lists of departmental and agency appointments and vacancies:
   - Infrastructure and Transport portfolio (received 4 October 2011)
   - Broadband, Communications and the Digital Economy portfolio (received 4 October 2011)
• Finance and Deregulation portfolio (received 6 October 2011)
• Prime Minister and Cabinet portfolio [2] (received 6 and 7 October 2011)
• Defence portfolio (received 7 October 2011)
• Human Services portfolio (received 7 October 2011).
• Agriculture, Fisheries and Forestry (received 7 October 2011)
• Innovation, Industry, Science and Research [2] (received 7 October 2011)
• Attorney-General’s portfolio (received 7 October 2011)
• Veterans’ Affairs portfolio (received 7 October 2011)
2. Lists of departmental and agency grants:
• Australian Organ and Tissue Donation and Transplantation Authority (received 4 October 2011)
• Infrastructure and Transport portfolio (received 4 October 2011)
• Finance and Deregulation portfolio (received 6 October 2011)
• Broadband, Communications and the Digital Economy portfolio (received 6 October 2011)
• Families, Housing, Community Services and Indigenous Affairs portfolio (received 6 October 2011)
• Prime Minister and Cabinet portfolio [2] (received 6 and 7 October 2011)
• Agriculture, Fisheries and Forestry portfolio (received 7 October 2011)
• Human Services portfolio (received 7 October 2011)
• Regional Australia, Regional Development and Local Government portfolio (received 7 October 2011)
• Innovation, Industry, Science and Research [2] (received 7 October 2011)
• Veterans’ Affairs portfolio (received 7 October 2011)

Ordered that the committee reports be printed in accordance with the usual practice.

COMMITTEES

Australia's Immigration Detention Network Committee
Reporting Date
Senator MILNE: by leave—I move:
That the final report of the Joint Select Committee on Australia’s Immigration Detention Network be presented by 30 March 2012.
Question agreed to.

Finance and Public Administration Legislation Committee

Australia's Immigration Detention Network Committee

Scrutiny of New Taxes Committee
Report
Senator MOORE: by leave—I move:
That consideration of each of the committee reports just tabled be listed on the Notice Paper as orders of the day.
Question agreed to.

Scrutiny of New Taxes Committee
Report

Senator CORMANN (Western Australia) (17:18): by leave—I move:
That the Senate take note of the Select Committee on Scrutiny of New Taxes report The carbon tax: economic pain for no environmental gain.

I thank the Senate. Madam Acting Deputy President, tomorrow the government intends to force 19 carbon tax bills to a vote in the House of Representatives. Save for an unlikely—though not unprecedented—last minute upset, the government unfortunately will have the numbers to secure passage of its carbon tax legislation through the House of Representatives. This will be despite an emphatic pre-election promise that there would be no carbon tax under a Gillard led government, despite strong public opposition to the tax and despite overwhelming
evidence that a carbon tax is not in our national interest.

It is in that context that I encourage all members and senators to carefully consider the findings of the Senate carbon tax inquiry, which is the most comprehensive parliamentary inquiry into the tax, which was tabled last Friday. Its findings are based on evidence from a wide cross-section of experts and, unlike the government-sponsored shotgun inquiry, held hearings across metropolitan, regional, eastern and western Australia.

The findings of the Senate committee's 12-month inquiry are clear: the carbon tax will impose economic pain on Australia for no environmental gain. It will not reduce emissions but will reduce our international competitiveness and cost jobs. According to the government's own modelling, domestic and global emissions will continue to grow while the cost of living will go up and up, and real wages will be lower than they would be without a carbon tax. Electricity prices alone, based on the government's own modelling, will go up by 10 per cent in the first year of the carbon tax—with lower real wages, again according to the Treasury, to the tune of 5.5 to 5.6 per cent by 2050.

Lower emitting Australian businesses forced to pay the carbon tax will become less competitive than their higher emitting international competitors not facing a carbon tax. Higher emitting business overseas taking market share from even the most environmentally efficient business in Australia means jobs and emissions will shift overseas. That is not effective action on climate change. It is, as a US congressman perceptively observed about Australia's proposed carbon tax, an act of unilateral economic disarmament. According to the Treasury's own modelling, and evidence before our inquiry by Professor Henry Ergas, the carbon tax will cost the Australian economy more than $1 trillion between now and 2050. This is in today's dollars. It is just about the GDP for the whole of Australia for a whole year. It means Australians will effectively have to work for nothing for a whole year to pay for the impact of Labor's carbon tax between now and 2050. Given that the government's modelling is based on some highly contestable assumptions, in particular around carbon pricing by our major trade competitors, it is highly likely that the impact of the carbon tax on both the cost of living and the broader economy will be even more severe than the modelling suggests.

The Minister for Climate Change and Energy Efficiency, Greg Combet, sought to dismiss those findings by the Senate carbon tax inquiry. Australia's GDP, he argued in the media on the weekend, would more than double between now and 2050, increasing by $2.3 trillion. The minister's statement does nothing to disprove the claim that the carbon tax will cost the Australian economy $1 trillion to 2050, or about $40,000 for every Australian. Slower growth has a cost. Yes, there is still growth, but it is less, much less, than it would have been without a carbon tax. Any Australian with superannuation knows that lower, slower growth in the value of their investments over a 40-year period means less money available for their retirement. Similarly lower growth of the economy as a result of the self-inflicted carbon tax means less money going around—$1 trillion less between now and 2050.

The Treasury modelling is clear. It states in black and white that with a carbon tax our GDP is expected to be 2.8 per cent lower by 2050 than it would be without a carbon tax. GDP in 2050, according to the Treasury's own modelling, will be $100 billion lower than it would be without a carbon tax. These are Treasury figures. According to Treasury,
the Australian GDP in 2050 would be $3.56 trillion with a carbon tax and $3.66 trillion without a carbon tax. So that is a GDP that is $100 billion lower with a carbon tax in the single year of 2050. It stands to reason that between now and 2050 there will be a cumulative effect which, based on the discount rate recommended by the government's own climate change adviser, Professor Garnaut, will be a loss in national wealth in today's dollars of about $1 trillion. Under the carbon tax legislation the government wants to push through the parliament tomorrow, that $1 trillion loss in national wealth comes on top of about $792 billion Australians will be required to send overseas to buy international carbon permits. That is a lot of money to take out of the Australian economy for something that will not actually make a difference to the environment.

Claims by the Prime Minister and the Treasurer that the carbon tax will not result in fewer jobs cannot be believed. Again this is a finding that came out of our Senate carbon tax inquiry. Treasury never modelled the impact of the carbon tax on jobs. Rather than actually assess the impact of the carbon tax on jobs, Treasury simply assumed that in the long run it would have no impact on employment levels.

To sum up, Labor's carbon tax will impose a lot of economic pain on Australia for no environmental gain. It will cost our economy about $1 trillion between now and 2050, which means that Australians will effectively have to work for nothing for a whole year to pay for the impact of Labor's carbon tax between now and 2050. Labor's carbon tax will not reduce emissions but will push up the cost of everything by shifting jobs and emissions overseas. Under Labor's carbon tax, real wages will be lower, prices will go up and up and both domestic and global emissions will continue to grow. Lower emitting Australian businesses which will be forced to pay the carbon tax will become less competitive than higher emitting international competitors, which is not effective action on climate change; it is an irresponsible act of economic self-harm. If the Prime Minister, Ms Gillard, were serious about achieving more local content, she would scrap the carbon tax, which will make locally manufactured goods more expensive and less competitive.

It is important to note here that every single Labor member of parliament was elected on a no carbon tax promise, so they should join us in voting against the carbon tax. It is the Senate committee's recommendation that the carbon tax be opposed and the legislation defeated in the parliament as there is no electoral mandate for the carbon tax, the modelling that supports it is based on a number of highly contestable assumptions, it is likely to undermine Australian businesses' ability to compete in the global economy and it will have significant adverse effects on particular sectors and regions with a particularly disproportionate impact on regional Australia. The effect of the carbon tax on the cost of living and on jobs is likely to be much higher than the government's current estimates indicate, based on the flaws in the Treasury modelling. There is considerable evidence that the carbon tax will not result in any environmental gain despite imposing a significant cost on the economy over the next 40 years.

As a final observation, our committee recommends that, if the parliament does believe that it should proceed with a carbon tax, any provisions that have been included in the legislation by this government that are designed to bind future governments, seeking to prevent future governments from rescinding the scheme, be removed. I commend the report to the Senate.
Senator MOORE (Queensland) (17:28): I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Clean Energy Future Legislation Committee Report

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (17:29): by leave—I move:


We have just heard a discussion about a coalition committee report on the Clean Energy bills. What would not have been obvious to people is that the Senate Select Committee on Scrutiny of New Taxes is not a standing committee of the parliament; it is a select committee dominated by coalition members and it reflects the coalition view on this matter.

I wish to address the report of the Joint Select Committee on Australia’s Clean Energy Future Legislation, which actually looked at the Clean Energy bills, not the fantasy put forward by the opposition, the hypothesis that they went around to try to prove. This committee actually looked at the bills. We had hearings here in Canberra, then in Melbourne and then in Sydney. This joint house committee was made up of members of the coalition, the government and the Greens and Independent members of the federal parliament. It specifically looked at the bills. The extraordinary thing is that when the coalition were asked to engage on these bills with the witnesses it became obvious that, after months and months of just the 30-second grab and the diatribe, they were not actually across the detail of the bills. They did not know what to ask the witnesses. They were largely ineffectual and in many cases, when we finally got to the Sydney hearing, most of them were not present.

I want to talk about what actually happened, because the real story out of this investigation of the joint house committee is that the overwhelming majority of witnesses support the package and came along to say so. Contrary to the advice we have just heard from Senator Cormann, we had, for example, the Investor Group on Climate Change, which is a group of large-scale investors, including superannuation funds, which control billions of dollars of finance in Australia. They came along to say that what business needs is certainty. They believe that this set of bills provides the certainty that will unlock significant amounts of investment, particularly in the energy sector. It has been the uncertainty in the energy sector that has led to increased prices in electricity around the country over the last few years as old infrastructure has been patched up and extended while people waited to see what direction this country was going to take.

We had everyone from the Investor Group on Climate Change through to big companies like AGL coming before the joint house committee saying: 'Yes, we support the Clean Energy package. Yes, we support emissions trading.' Interestingly, AGL said that it was the coalition's threat to repeal the bills that was a billion-dollar dead weight on the Australian economy. How interesting is that? I pursued that with them and said, 'Do you mean just the threat of repealing the bills is a billion-dollar dead weight on the economy?' They said: 'Yes, because it is increasing the cost of finance. Business needs certainty, and the coalition going around threatening to repeal the bills is leading to more expensive finance for everybody in the sector.' So let it not be said that people are out there saying that these bills are going to undermine confidence in
rural and regional Australia. Quite the contrary.

That brings us to the Steel Transformation Plan, which is coming to a vote in the House of Representatives. The coalition went to South Australia and to the Illawarra and told people there that Whyalla would be transformed into a dust bowl and that thousands of jobs would be lost in the Illawarra. Now, there is a plan on the table to actually get OneSteel and BlueScope through the next few years and make them more sustainable so that they can take advantage of the clean energy revolution, which will be financed in part in this country because of the Clean Energy Finance Corporation, which we are also facilitating here. What better solution than to have Australian steel going into Australian made wind turbines, going into wind-turbine towers, going into solar-thermal and going into a very fast train in Australia, with OneSteel producing the sleepers and so on? This is a good news story. If you move to a low-carbon economy you make the steel industry more sustainable in the face of international competition and the higher dollar and so on. It is the coalition who are now saying that there will be jobs lost in regional Australia. They are voting against the Steel Transformation Plan, which puts $300 million in during the next few years to try to sustain a steel industry in Australia and make it more environmentally effective and efficient and will also maintain jobs. Let that be on the record. For all the ranting about the loss of jobs in rural and regional Australia, you can point to one place, and that is the coalition.

During the discussion on these bills, when people came before the committee we were congratulated as a committee for the effort and consideration that had gone into the bills that are complementary to this package, like the Carbon Farming Initiative. It was recognised that that will bring significant investment to rural and regional Australia. Local government in particular recognised that this is an opportunity for them, not to mention Indigenous and remote communities, which saw big opportunities with the Carbon Farming Initiative in terms of creating jobs.

Going on to some of the recommendations of the joint committee report, one recommendation was that the Senate and the House of Representatives pass the Clean Energy Bill, and the other 17 bills in the Clean Energy package, and the Steel Transformation Plan Bill. Secondly, it recommended that the government examine the proposals made by LPG Australia concerning the treatment of LPG under the mechanism and, where appropriate, refine the provisions to ensure that a carbon price is most efficiently applied to all users of LPG. Contrary to what the coalition is saying, LPG were begging to get into the scheme. A number of industries are now saying that they want to opt in. They said they do not want to be charged an excise; they want to be able to opt in so that they can leverage and hedge more appropriately. They are asking that the bills be changed to enable LPG to come in, particularly where it competes with other forms of stationary energy use. But one of the other areas that was raised was in relation to synthetic greenhouse gases and in particular the Green Cooling Association’s recommendations. This is another really important issue. How do we stop the release of refrigerants, these cooling agents, when old fridges and the like are dumped and crushed? How do we go about making sure that there is an incentive for people to reclaim and deal with these pollutants rather let them go into the atmosphere? That is something that the government should take up separately to this set of bills. I have not been impressed to date by the Department of Sustainability, Environment, Water, Population and Communities.
They have failed to address how we can make this happen. I put the government on notice here that this is something that we want dealt with. The synthetic greenhouse gases are very powerful gases and we need to act on those.

The other recommendation was that the government intensify its efforts to promote awareness and understanding of the mechanism by working with the Clean Energy Regulator to provide information and guidance to liable entities about the mechanism and compliance with it in good time for the start of the mechanism on 1 July 2012. It is very clear that we need to put more effort into educating people about how the carbon price will be applied to the large polluters—those who pollute more than 25,000 tonnes—and how it will be managed.

Needless to say, the overwhelming story out of these hearings was that those who have opposed the carbon price to date could not find major flaws with the package. The coal industry could not do that, the chambers of commerce could not do that and the Minerals Council of Australia could not do that. Frankly, they came before the committee with a mantra of opposition but they could not nominate any major flaws in the bills. That was very reassuring, as I am one of the people who worked on the Multi-Party Climate Change Committee to design this package. (Time expired)

Senator BIRMINGHAM (South Australia) (17:39): I rise to take note of this Joint Select Committee on Australia's Clean Energy Future Legislation advisory report on the clean energy bills and the Steel Transformation Plan Bill 2011. I am pleased to speak after Senator Milne because after listening to her you would be forgiven for believing that this inquiry and this process was one of sweetness, light and harmony, that there was great general agreement and that it was all conducted in the spirit of proper parliamentary scrutiny. But unfortunately that is not the case. This was in fact the most farcical of inquiries into and the most farcical of parliamentary processes about the most sweeping of legislative reforms.

In the other place they have just voted, I understand, on 19 bills comprising 1,100 pages or more of legislation. These 19 bills are meant to have been assessed by this one report. Senator Milne is correct that this was a report by a joint select committee, but it was a select committee that was given just three weeks to undertake this inquiry. It reported on Friday to not just this chamber but the House of Representatives, who have voted on this legislation just today—such has been the rushed process of this amazingly huge package, with its enormous impacts on every aspect of the Australian economy and Australian life.

So we had an inquiry with a farcical time line that had to report in a ridiculously short period of time. Then there is the membership of this inquiry. Senator Milne had the gall to attack the membership of Senator Cormann's inquiry, which took months to consider aspects of the carbon tax proposal and had the opportunity to do so in far more detail than this committee. Senator Cormann's committee, the Senate Select Committee on Scrutiny of New Taxes, had places on it for crossbenchers, including the Greens, as I understand it, who refused to take up their position on Senator Cormann's committee inquiry. This committee, however, was structured with nine members from either the Labor Party, the Greens or the Independents, all of whom were supporters of the carbon tax package to start with. The Greens and the Independent member sat around the multiparty committee table drafting this package with the government, so nine members of this committee were integral to the drafting of the package. That compares
with five coalition members. The committee had a Labor chair and a Greens deputy chair, contrary to the usual practices of this place. So for Senator Milne to stand here and criticise Senator Cormann's detailed and thorough analysis of the carbon tax when compared with the rushed approach of this very stacked committee beggars belief.

Let us look at submissions. Despite there being just six days for the Australian public to have a chance to make submissions about these more than 1,100 pages of legislation we saw more than 4,500 people respond and do so. Over 4,500 Australians made submissions to this inquiry in just the six days that they were given to get them in. Tragically, because of the limited resources available in such a short period of time to consider these submissions, it was the case that very few of them were accepted as submissions. Despite the arguing of the coalition, the Labor and Greens majority joined up to ensure that most Australians were silenced in this.

However, I am pleased that throughout the coalition dissenting report we have done our best to go through the thousands of submissions that were not accepted as submissions and that were not published on the parliamentary website. We have quoted from them extensively in the 134 pages of the coalition's dissenting report to ensure that the voices of all of those Australians were heard, because they were certainly not heard during the hearings.

Senator Milne talked about the coalition having gone to South Australia and to the Illawarra and elsewhere to talk about the steel industry. This committee certainly did not go to any of those place. This committee did not get out of the Melbourne-Sydney-Canberra triangle. Despite requests from the coalition to have hearings in a regional centre like Mackay or in the Illawarra or in Perth so as to hear from those on the other side of the country, all of those efforts were blocked as the government sought to keep the tightest of control on who appeared at this committee, who gave evidence and who had the opportunity to have a say on this carbon tax legislation. It was indeed a farcical inquiry.

I am reminded of a statement from a previous opposition dissenting report to this place that we quoted in our dissenting report. It said:

> It is outrageous that only one week was allowed for the committee to receive submissions … To make matters worse, hearings were scheduled in the week following the closing date for submissions, which did not allow enough time for the committee to properly consider the more than 5000 submissions received.

That of course was the report of Labor dissenting senators on the Work Choices inquiry. Those words were correct then; they are correct now. The only problem is that they are correct about the Labor government's handling of this legislation and their consideration of a fundamental reform. This shows the hypocrisy that reigns amongst those opposite. But that is hardly surprising, given that, as this report highlights, the entire carbon tax package examined in this report is built on a lie, the mistruth that the Prime Minister took to the last election that there would be no carbon tax under the government she led. There is no getting away from that as a key issue that drove the enormous response, the enormous reaction of Australians, to this inquiry and saw more than 4½ thousand of them make submissions and argue passionately against this tax, argue passionately about the ramifications of this tax or at the very least argue passionately that they wanted a say on this tax. That is of course fundamental to this. They want a say on this tax. That is what they have been denied, but it is what the coalition is intent upon giving them.
The coalition also highlights in this report just how out of step with the rest of the world this proposal risks making Australia. We have highlighted the range of action that is or is not being taken in other countries, but certainly it is a reality that, overwhelmingly, countries are not applying a carbon-pricing regime anything like either the tax that applies in the first years of this legislation or the trading scheme that applies in the latter years of this legislation. We have highlighted that, even in World Bank surveys of global carbon market participants, 90 per cent of respondents indicate that they do not believe there will be a legally binding treaty in place to deal with global emissions anytime soon. So we will see the perverse situation where next year, in 2012, when the first commitment period of the Kyoto protocol expires, Australia will go in the opposite direction to the rest of the world and actually apply a carbon tax for the first time. We will enter a period next year when there will be no ongoing globally binding treaty in place and Australia will be the one out there with an enormous carbon tax.

Those assumptions are built into all the Treasury modelling. I know they are issues that Senator Cormann examined in detail in his report as well—the false assumptions on which the Treasury modelling on this carbon tax are based. They are false assumptions that the world will deliver, that countries that have made pledges under the Copenhagen Accord will all deliver on those pledges. But, worse than that, it seems Treasury has modelled that beyond 2020 countries will all apply the same emissions reduction approaches as Australia, an 80-per-cent-against-business-as-usual reduction—an enormous assumption to make, an enormous gamble to take with the Australian economy, with absolutely no proof to justify that this is where the rest of the world is going.

Worse still, we see that, even with the carbon tax, all of the evidence indicates that the Treasury modelling—even stacked and flawed as it is, with those false assumptions—shows that emissions will keep going up. In terms of actually achieving the outcome that this legislation is meant to achieve, we will still see Australia’s emissions rise from 578 million tonnes to 621 million tonnes in 2020, an increase of 43 million tonnes over the period to 2020. We will still see Australia’s emissions go up, and the only way, either in the short term or the long term, that it will achieve anything is through massive multi-billion-dollar reliance on overseas permits, which we will see Australian companies spend billions to buy. They will pass on those costs to Australian consumers, but Australian consumers cannot be compensated because of course the money will never go into government coffers.

That is the final area I will highlight today which the dissenting report outlines—that is, the enormous cost of this proposal to Australia, not just to Australian jobs but particularly to Australian households and to the cost-of-living pressures for all Australians. These are serious issues about which Australians are rightly concerned. Four and a half thousand people or more made their voices heard. Unfortunately, the government has chosen not to listen to them. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOCUMENTS

Responses to Senate Resolutions

Tabling

The ACTING DEPUTY PRESIDENT (Senator Back): I present the following responses to various Senate resolutions:

(a) from the Minister for Trade (Mr Emerson) to a resolution of the Senate of 7 July concerning Burma and Daw Aung San Suu Kyi;
(b) from the Premier of Queensland (Ms Bligh) to a resolution of the Senate of 17 August 2011 concerning the Burdekin Falls Dam; and

(c) from the Head, ABC Audience and Consumer Affairs (Ms McLiesh) to a resolution of the Senate of 15 September 2011 concerning the broadcast of the South Australian National Football League.

Senator LUDLAM (Western Australia) (17:50): I seek leave to move a motion in relation to the response by the Minister for Trade that has just been tabled.

Leave granted.

Senator LUDLAM: I move:

That the Senate take note of the document.

This document has been provided to the President on behalf of Craig Emerson, the Minister for Trade. It relates to a motion that I put to the Senate a number of weeks ago, in July, around the ability of Daw Aung San Suu Kyi to move about Burma on one of her first field trips since being released from house arrest. Under the enormously difficult political and human rights circumstances that she and her allies face, and the people working for democracy in Burma face, conditions have barely changed since the brutal crackdown of 2008 in which thousands of people were arrested and killed, and many still remain behind bars. The world celebrated—as did, I think, all of us in this place—when Daw Suu was released from many, many years of house arrest in Rangoon. But we are very well aware that the situation in that country is still extraordinarily tense and that people who are doing the kind of work that in Australia we would simply take for granted are subject to harassment, brutal treatment, imprisonment, arbitrary detention, torture and extrajudicial killing. The establishment of a so-called parliament, which remains a parliament in name only, last year after a flawed election, based on a corrupt constitution, has changed nothing. In fact, senators in this place would be horrified if they realised how their colleagues in the so-called Burmese parliament are actually treated and if they knew the kinds of things that they are subject to, such as not being able to speak to the media and not being able to organise, as we do freely in this place. It is really difficult to even conceive of it being called a parliament.

We appreciate the tabling of this letter by Dr Emerson and also the work that Mr Rudd has done on his visit to Burma, in subsequent correspondence and in meetings that he had with Daw Suu while he was there. The advocacy that is occasionally undertaken by the Australian government on behalf of the pro-democracy movement in Burma and its diaspora is greatly appreciated.

However, the main reason why I wanted to rise and add a few comments as to the tabling of this letter today concerns a recent report by the Kachin Women’s Association of Thailand which documents human rights violations carried out in Northern Burma between June and September 2011. This document is utterly hair raising, giving us a bit of an idea of, or a bit of an insight into, the internal civil war that is still occurring in the north-eastern part of Burma against the backdrop of what I think most of us believe is a gradual process of democratisation. This report tells us that we should not be fooled, that we should not ease trade sanctions and that we should not let up on our campaign, which we have been pleased to see the Australian government join, to establish a United Nations commission of inquiry to investigate crimes against humanity and war crimes that have taken place and war crimes that are taking place in Burma. This particular study highlights the issues that are occurring in a quite remote part of the country bordering Thailand and China. It is difficult to get to, and I am not sure that senators would be all that aware of the kinds of horrific abuses that are being perpetrated.
then. But what we are still seeing and what this report documents is the systematic use of rape as a weapon of war against women and girls, with the youngest victim documented in this study being nine years old and 15 of those victims being killed; villagers being forced to be pack animals and human minesweepers as they are forced to go in advance of the army to set off any landmines that might have been laid in the area; and unarmed civilians being killed or driven out of their villages.

I understand that people here working for Democracy in Burma have written to the foreign minister but I think it is certainly not well understood within the Australian population and perhaps not well understood within this parliament just how bad the situation is there. The reason I put these remarks on the record tonight is to reinforce the actions that the Australian government has taken but also to urge the Australian government not to relax but to press the case and not be fooled by talk of release of political prisoners, talk of democratic elections and talk of parliamentary assemblies, because all of these things are simply talk at the moment.

The international community is called on in this study:

To condemn the … regime’s atrocities against the Kachin people as well as against other ethnic nationalities and to call on the regime to put an end to such human rights violations.

To provide urgently needed humanitarian assistance to internally displaced persons and refugees fleeing the conflict—

and, as we understand that the Australian government is reviewing this issue, there is an important role here for cross-border aid. This is undertaken by many of our aid partners on the Thailand-Burma border and up and down that particular part of the world, that extremely troubled zone. Australian aid could actually fund food and medical equipment being taken across into the war zone on the Burmese side of the border where no other aid groups can go and where no help—no form of primary health care or any other assistance—can go. That is one very important thing that the Australian government could do.

The study also called on the international community:

To impose an international arms embargo to avoid supplying the Burmese regime with weaponry that can be used against civilians.

Again let us acknowledge that the Australian government got on board with this campaign, as we did sign on, but since then we have done nothing. Every three or four months I get to ask the senior bureaucrats during budget estimates hearings this: ‘As we have signed on to the arms embargo and we have signed on to the commission of inquiry, what are we doing? Who have we spoken to? What diplomatic initiatives have we launched? What have we done on the margins of the General Assembly?’ They always come back and say: ‘Well, we’ve done nothing. We just signed on. We thought that was the whole point.’ It is not enough to put our name on a list when these kinds of horrific human rights violations are occurring right now as I speak. We take more or less for granted the democratic freedoms that brought each of us into this place. The people working in Burma and their colleagues on all sides of that border who are working on that campaign internationally do not take those things for granted.

Lastly, I turn to cracking down on trade with Burma, an area on which we have found the Australian government to be simply intractable. It is absolutely unacceptable for a company in my home town of Perth to be profiting from oil and gas deals with the regime. It is unbelievable. There is less than $50 million in two-way trade between Australia and Burma. We are not even going
to be offending the kinds of interest groups that periodically terrorise Australian governments when we talk about sanctions with particular regimes. This one is dead easy. Twinza Oil, operating out of an office in Nedlands in Perth, is doing deals with the Burmese regime for oil and gas extraction. That is how the regime funds the civil war that it is conducting against its own people. It is horrific to imagine that Australia could even be complicit indirectly. So I think this direct complicity would be horrifying to most right-thinking Australians. One thing that the Australian government could do right now is simply cease two-way trade between Australia and Burma, whether it be in gemstones, forestry or, indeed, oil and gas. Burma is being pillaged at the moment, and it is appalling that Australia would consider being part of that. I thank the Senate for leave to raise these important issues.

Question agreed to.

COMMITTEES
Scrutiny of New Taxes Committee
Additional Information
Senator BUSHBY (Tasmania—Deputy Opposition Whip in the Senate) (17:59): On behalf of the Chair of the Select Committee on the Scrutiny of New Taxes, Senator Cormann, I present additional information received by the committee on its inquiry into the mining tax.

Community Affairs References Committee
Additional Information
Senator SIEWERT (Western Australia—Australian Greens Whip) (17:59): On behalf of the Community Affairs References Committee, I present additional information received by the committee on its inquiry into the social and economic impact of rural wind farms.

DOCUMENTS
Tabling
The Clerk: Documents are tabled in accordance with the list circulated to senators. Details of the documents appear at the end of today’s Hansard.

COMMITTEES
Community Affairs References Committee
Additional Information
Senator ADAMS (Western Australia—Deputy Opposition Whip in the Senate) (18:00): by leave—I would like to say how disappointed I was as a member of the committee that these documents, that were written on 28 January 2011 and received by the committee secretariat on 4 February 2011, were somehow mislaid by the secretariat. Unfortunately, as a result, they were not available to the committee at the stage we were writing the report. I feel very strongly about that, because one of the submissions, No. 810, which was tabled by Mr David Brooks of Goulburn in New South Wales, contained very good information that would have been very worthwhile for the committee to deliberate upon. I request that my disappointment that the secretariat unfortunately mislaid these documents be recorded.

Corporations and Financial Services Committee
Finance and Public Administration Legislation Committee
Membership
Senator FEENEY: by leave—I move:

That senators be discharged from and appointed to committees as follows:
Corporations and Financial Services—Joint Statutory Committee—
   Appointed—Senator Hanson-Young
Finance and Public Administration Legislation Committee—
   Appointed—
   Substitute member: Senator Thistlethwaite to replace Senator Stephens on 17 October and 18 October 2011
   Participating member: Senator Stephens.
Question agreed to.

**BILLS**

**Industrial Chemicals (Notification and Assessment) Amendment (Inventory) Bill 2011**

**Higher Education Support Amendment (Demand Driven Funding System and Other Measures) Bill 2011**

**Education Services for Overseas Students (Registration Charges) Amendment Bill 2011**

**Education Services for Overseas Students Amendment (Registration Charges Consequentials) Bill 2011**

**Telecommunications Legislation Amendment (Fibre Deployment) Bill 2011**

Assent

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

**COMMITTEES**

Community Affairs References Committee

Report

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (18:03): On behalf of the Community Affairs References Committee, I present the report on the effectiveness of special arrangements for the supply of Pharmaceutical Benefits Scheme to remote area Aboriginal health services, together with documents presented to the committee.

Ordered that the report be printed.

**Senator SIEWERT**: by leave—I move:

That the Senate take note of the report.

This is a very important report because it pertains to the health of Aboriginal communities and to helping to close the gap. Many people are probably not aware of this scheme, which comes in two parts. It has special arrangements for the supply of PBS medicines to Aboriginal and Torres Strait Islander peoples in remote communities. This is obviously in place to promote and improve access to and use of PBS medicines. The two main programs we looked into are the section 100 supply program, which provides payments to community pharmacies for dispensing PBS medicines in bulk to remote area Aboriginal health services, and the section 100 pharmacies support allowance, which provides payments to community pharmacists to help Aboriginal health services to improve the way that their patients use PBS medicines.

These are very important programs, and I would particularly like to thank those who made very substantive submissions to this inquiry. In fact, they were so substantive that we did not have to hold a hearing, because such excellent information was supplied to us. I would like to thank the submitters and also the secretariat for the work they did. Many people will be aware of the workload that the Community Affairs Committee has had, both with legislation and references, this year, so I would like to thank the secretariat very much for their report.

We made a number recommendations in this report, and I hope that the government takes them on. One of the things the committee found is that other inquiries have
made recommendations about these programs, but unfortunately those recommendations have not been implemented. I suggest that that is one of the reasons we have had to review this again and, in some cases, make some similar recommendations. We have made 10 recommendations, one of which related to the information we have showing that the effectiveness of the scheme, in terms of the amount of medication that is being supplied to remote communities, has gone up. We know the program, from that point of view, is successful in getting medicines out there. What we do not know is the clinical impact this has had. We are making an assumption that we are helping to close the gap by having this program in place, but we cannot really say that it is. So the committee made a recommendation that the government undertake an evaluation to ascertain whether the increased supply of PBS medicines provided by the program is having a clinical impact on the health of Aboriginal and Torres Strait Islander people in remote communities. I personally think that is a particularly important recommendation.

We have also made a recommendation about ensuring accurate and legible labelling on medicines. What we are finding is that some of these medicines are going out with handwritten labels, for example, and there is concern around that. So we have made a recommendation about ensuring that there is a universal system in place to provide for accurate and legible labelling and recording of medicines. The evidence given to us indicated that the Aboriginal health services needed more access to pharmacists in-house. Where we see pharmacists in-house in Aboriginal health services, we are seeing much better quality use of medicines. What we are trying to ensure here is quality use of medicines so we have good clinical outcomes. So there is a recommendation that various mechanisms be looked at in terms of enabling Aboriginal health services to have pharmacists in-house. There is also a recommendation about dose administration aids. At the moment, if they are funded under the scheme, they have to be funded out of the money for medications, and of course we want to see that money being used for medications. So we believe these aids need to be used. There was good evidence supplied to us that showed the effectiveness of using those particular aids.

There is also a recommendation around integrating some of the programs. There are a number of programs about increasing the supply of medications but also looking at the better quality use of medications. So we are recommending that there be a review, not to review the programs per se but to bring about better integration of some of those programs, because we established that there are some gaps in the supply of medications—for example, to aged-care facilities. It is unclear whether these people can access medications through this particular program.

I will conclude there because I know there are other senators who want to speak on this matter. I commend these recommendations to the government. I for one can tell the government and put them on notice that I will be pursuing the implementation of these recommendations, and I am sure no-one would expect any less.

Senator MOORE (Queensland) (18:09): I also want to make some remarks on the recommendations and the process we followed in this Community Affairs References Committee inquiry. Certainly this is a much reviewed process. The remote area Aboriginal health services program, which includes the section 100 supply program and also the section 100 pharmacy support allowances, has been reviewed a number of times since it was introduced in 1999. There
was a clear need identified in 1999. It was shown that Aboriginal and Torres Strait Islander people, particularly but not exclusively those in remote areas, were not receiving the benefit of our wonderful PBS system. At the time, 1999, the Centre for Remote Health noted that a review found that only 33c were spent on the PBS for Aboriginal and Torres Strait Islander people for each $1 spent on non-Indigenous people. This comparison made a benchmark about where we were moving in the process of allowing medication to be available for people who have great need. No-one denies the great need in remote Aboriginal and Islander communities and also in non-remote communities.

Through a number of submissions that came to the committee, we looked at the fact that since 1999 there have been extensive advances made in allowing medication to be available. The Department of Health and Ageing submission said, and I will put these figures on record, that from 1999 the remote area Aboriginal health service program:

… has grown from servicing 35 remote Aboriginal Health Services to 173 in 2011.

The supply of PBS items has increased from around 250,000 in 1999-2000 to more than 1.4 million in 2010-11.

In 2010-11, expenditure under the RAAHS Program had grown to $43 million from $3.9 million … in 1999.

Further, it is believed:

Around 170,000 Aboriginal and Torres Strait Islander people are estimated to benefit from the increased access to PBS medicines and better quality use of medicines …

So we do have that baseline data but, as Senator Siewert pointed out, we need to have more than just knowledge of how much medication is supplied. There is so much more that is needed. We need to look at the impact of the medication, and certainly one of the things we considered was: how do you actually see where people's chronic illness has been improved by this attention? We know it has. Intrinsically, we know that from 1999 until now, with the greater access to medication, of course people's health issues have been addressed, but we need to know that in greater detail.

We received very detailed information from people who wanted to do research in this area who said they had difficulty in getting the data. There is a good reason for that, but there is one issue that we should be able to respond to. What happens in areas of small populations is that the Privacy Act comes in and says that data cannot be released because of the possibility of individuals being able to be identified by the release of that data—a noble concern and one of which we should be aware. However, we need to be able to think and work smarter. There have got to be ways that the government and the stakeholders can work together effectively to see how we can understand on what this whole program is based—that is, clinical health improvements for people who most need it.

Certainly one of our recommendations is that we work together. It seems a sensible enough recommendation that we get together all the people who have such great goodwill in this area who are trying to ensure that people in remote areas get access to the appropriate medication and then that their health is improved. As we often say here, we need to have ways of assessing that. That was one of the things that were picked up most clearly by our report.

I note that Senator Siewert also referred to one of the more interesting recommendations I have seen from any of our committee reports, which is in fact that we should go back and check all the recommendations that have been made in this area and see what is happening to them—common sense. It
happens so often that people have issues which need to be considered, they evolve, more information becomes available, needs are identified and then we go into a quite in-depth inquiry to find out that this work has been done before. Recommendations have been made but somehow the recommendations have been lost and we have not been able to pick up on the knowledge and the professionalism that we know is available. So I really like that recommendation. Certainly our community affairs committee has worked very hard in the past to ensure that we have this process, that we consider issues and that after a certain period of time we go back and see what has happened. This is because in areas of social welfare we consistently have incremental improvements. So rather than going back and identifying all the issues again, we see what work has been done, the kind of recommendations that have been made by various governments and various groups of public servants working in the area and what has happened. It is almost a standing recommendation so that we can understand that we are working effectively to ensure that remote health issues are moving forward in our community.

Another one—and I know Senator Siewert mentioned it—was to do with the basic things that we take for granted in our own medical processes in terms of medical aids. The pure stupidity of the process means that people cannot get the basic help they need to learn about their medication and to use it more effectively through such things as the small pill blister pack that we have available all the time and which have proved to be deeply effective. That is not actually part of the process. It is extra expenditure and, as we know, expenditure is so tight that that kind of process is not provided. Straightforward processes about things that we all know and understand can be translated effectively to make the system work better.

I also take the note about the labelling process. Having worked with pharmacies over many years, I know the need to have a standard process of labelling and clarity so that people can understand their medication is so important and is something that once again at this time we need to restate.

A lot of good work has been done. We have seen that there have been advances, but there needs to be further consideration. Basic understanding of the whole process is not wide in the community. There has got to be more education in the way that professionals can work more effectively with communities so that people, again, understand their medication and are able to get the best use out of it. It is not just about spending the dollar; it is about how the dollar is spent and how effectively the community can benefit from it.

This is a necessary report. It is one that will stimulate further discussion. I note that the government will be considering it. I share with Senator Siewert a commitment to follow up so that the recommendations are discussed openly and we see some change not just in this place but more effectively in communities.

There is also the issue that we discuss so often in this place, and which the Community Affairs References Committee will be picking up in another inquiry, of rural and remote workforces. There is a great need to have more professional work done in communities and not just outside with people flying in and flying out. So I am looking forward to talking about that again in the future.

I commend the secretariat, who worked hard to prepare this particular report. We will be following up with all the people who have shown such great interest and goodwill in the process. I seek leave to continue my remarks later.
Leave granted; debate adjourned.

**Legal and Constitutional Affairs References Committee**

**Report**

**Senator HUMPHRIES** (Australian Capital Territory) (18:18): On behalf of the Legal and Constitutional Affairs References Committee, I present the report on Australia's arrangement with Malaysia in relation to asylum seekers, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator HUMPHRIES: I seek leave to move a motion in relation to the report.

Leave granted.

Senator HUMPHRIES: I move:

That the Senate take note of the report.

The Senate's committees are often asked to consider issues of great complexity where diverse opinions exist with respect to particular decisions that governments of the day might make. With respect to this particular issue—that is, the agreement entered into between Australia and Malaysia for the transfer of 800 asylum seekers from Australia to Malaysia and the reciprocal transfer of 4,000 asylum seekers back from Malaysia to Australia—I have to say that the evidence presented to the Legal and Constitutional Affairs References Committee was quite overwhelming. It was quite unambiguous. It is rare to find a situation where so many witnesses are in such complete agreement. The arrangement entered into and the particular action that the government has initiated was totally unsupported by those witnesses.

This is an arrangement which was designed to prevent the business of people smuggling from flourishing, but the flaws and inadequacies in this arrangement were so flagrantly evident to the members of the committee that it beggars belief that anyone could view these arrangements and rationally suggest that they are a viable and effective way of dealing with Australia's problem with unauthorised maritime arrivals. The arrangement is not just unsatisfactory from various points of view; it is quite patently the most unsatisfactory option available to the Australian government today to deal with this issue.

There are many problems with that agreement that were evident from the evidence put before the Legal and Constitutional Affairs References Committee. I want to run through some of those issues. The first and perhaps most troubling issue with the arrangement that was put before the committee is that the so-called agreement with Malaysia is, in fact, not binding. The evidence to the committee was quite clear that the arrangement is aspirational in nature. It amounts to an indication of what the parties are attempting to achieve but does not place binding obligations on either nation. Australia's desire to make this arrangement work was fairly evident from the statements made by the government, but, with great respect, it is much less clear whether Malaysia has the same commitment to a number of the provisions in this arrangement, particularly with respect to the welfare of those people transferred to Malaysia under the agreement—the 800 or so who constitute Australia's contribution to that people swap. The arrangements are not legally binding. They cannot be enforced. After it has transferred the 800 people, it is very doubtful, under the evidence put before the committee, that Australia has any capacity to enforce Malaysia's adherence to agreements, for example, on the treatment of those asylum seekers. Given that this government has on many, many occasions returned to the mantra of the human rights of those concerned, ensuring that Australia exercises
a humane policy—at one point indicating that it would not deal and did not believe that Australia should deal with any country which was not a signatory to the UN convention on refugees—it is troubling, to say the least, to see this kind of arrangement put in place.

One of the arrangements that is part of this agreement—this non-binding agreement—is that Australia should put in place arrangements to ensure that there is not refoulement of transferees to the countries from which they are fleeing. The identification of the vulnerabilities and heightened risks of refugees, particularly focusing on unaccompanied children, is part of the process. The agreement is also seeking to confirm that particular transferees are fit to travel and undertake the journey concerned.

As I said, the arrangements are not binding, so anything that relies on cooperation at the Malaysian end for the delivery of those objectives might not be enforceable. But what was particularly troubling to the committee was that the arrangements Australia has put in place to attempt to enforce the objectives of the agreement contained in a document on the preremoval guidelines—which supposedly determines what kinds of measures are put in place to ensure that people are not inappropriately transferred to Malaysia—were not available to the committee to examine. They have not been annexed to or incorporated into the agreement itself—which causes some concern as to whether they are enforceable with respect to the agreement with Malaysia—and they have not been made available to the committee. Indeed, at the time the committee was meeting, nor were they even made available to the Commonwealth Ombudsman, who has a role as the Immigration Ombudsman on such arrangements. That leaves a very stark and disturbing question before the committee and, in turn, before the Senate as to what these preremoval guidelines say and to what extent they protect the interests of those transferees. The committee was deeply disturbed by the absence of that information. The question of what those guidelines say remains a very open question for the Senate as a whole.

I do not want to speak at length about the conditions of asylum seekers in Malaysia—the conditions, therefore, of the transferees that Australia will send under this arrangement, if it proceeds—because I know others will make comment about that in this debate. I know that Senator Cash has already highlighted the conditions which appear to apply in Malaysia on the caning of asylum seekers in certain circumstances. Very little that the committee heard allayed its concerns about the possibility that transferees under this arrangement would indeed be caned. Again, I have to record the greatest of concern that a government which has professed repeatedly its desire to protect the human rights of asylum seekers could possibly contemplate an arrangement where people are transferred in large numbers to a country where such treatment of asylum seekers not only happens but is quite common.

The problem is exacerbated in Malaysia by the existence of a kind of volunteer-citizens police force, which is specifically tasked to regulate immigration matters and the affairs of asylum seekers in that country—people without the legal authority to be there on the basis that they are asylum seekers. This organisation, RELA, apparently has over one million members in that country and its history of involvement in extortion, intimidation, harassment and abuse of asylum seekers and refugees is very disturbing in the extreme. Some attention was focused on mitigating circumstances in Malaysia—how Australia, the UNHCR and Malaysia itself are working to try and
prevent abuses such as arbitrary arrest and the abuse of asylum seekers by RELA officers—but the overwhelming impression that the committee came away with was that with such a huge number of people involved in that organisation in Malaysia the chances of that kind of amelioration actually protecting every asylum seeker transferred is very small indeed.

The impression that the committee has been left with is one of a chaotic response to the government's present woes on asylum seekers. The committee had no hesitation in recommending that the agreement not proceed. The agreement is deeply flawed and defective, and it is not in Australia's interests to be party to such an arrangement. (Time expired)

Senator CROSSIN (Northern Territory) (18:29): I rise to provide some commentary on this Senate Legal and Constitutional Affairs References Committee report this afternoon. As people would be aware, the committee is chaired by the opposition, and no doubt they will not be surprised that government senators on this committee have provided a dissenting report. We have also recommended in our dissenting report that the Migration Legislation Amendment (Offshore Processing and Other Measures) Bill 2011 be passed by this parliament to give effect to the implementation of the Malaysian agreement.

What I want people who may be listening to and interested in this debate to do is go to the committee's website and have a look at this report and in particular at chapter 2, which sets out a very well-defined summary of the arguments that have led to the Malaysian agreement. If people read chapter 3, which is basically a summary of the position of the coalition and Greens and the committee's view, they should also carefully read the government senators' dissenting report. I think they will find that this report provides a balanced perspective of the different views in relation to the issues around this debate.

I do want to make note at the outset that the committee secretariat—the team who, under the guidance of a terrific secretary, do a fantastic job all the time with whatever work or challenge they are presented—have done a great job in this instance in setting out the views that were presented to the committee and the views of both the opposition and the government. However, people should also note that the committee wrote to over 200 individuals and organisations advising them of this committee inquiry, and from that we only got 37 submissions. That was a bit underwhelming; I was a bit surprised to find that we got so few submissions in relation to this current, fairly topical, contentious debate.

Many submitters had strong opinions about this current situation but we heard from no-one who had had a direct involvement with the Malaysian agreement. The UNHCR has had involvement with it and acknowledge the arrangement that has been put in place. In fact, there is an article in today's paper about the UNHCR's position on this agreement. Quite rightly, they said that they were neither called upon, nor would it have been appropriate, to endorse or otherwise formally sanction the agreements. However, the committee's main view in this report significantly underwhelms and understates the view of the UNHCR, who actually went on to say that they were:

… appreciative of the efforts made by the two parties to provide fundamental protection safeguards for transferees, notably: respect for the principle of non-refoulement, the right to asylum, the principle of family unity and best interests of the child, humane reception conditions, including protection against arbitrary detention, and the realization of durable solutions.
In fact, newspaper articles today have a headline of 'Malaysia a better option for asylum seekers, says UN'. In the context of the Malaysian arrangements, the insurances of legal stay and community based reception for all transferees can be seen as a more positive protection environment rather than indefinite detention, which is the policy at this stage of both the major political parties in this country.

I also want to comment on the Commonwealth and Immigration Ombudsman, who I thought performed significantly unprofessionally during the course of this inquiry. When I questioned the Ombudsman in the hearings about how and where and on what basis they had drawn the facts and the detail for their submissions, I was told that they got their information mainly from newspaper articles and academic articles and journals, which I thought was astounding. The Commonwealth Ombudsman's office in fact did not purport to have any knowledge of the administration in Malaysia and had no specific technical or legal knowledge of procedures in Malaysia. In fact, the Ombudsman's initial submission to the inquiry contained substantial errors of fact, major errors of fact—which I noticed are not highlighted in the committee's majority report—which of course the Ombudsman subsequently had to correct. He handed a letter to the committee tabling those corrections on the day he appeared before the committee to give evidence. Given that the Ombudsman's role includes the oversight of immigration detention and refugee assessments, those errors are simply unacceptable. I do not believe that the evidence the Ombudsman gave before the committee was at all credible or well sourced and documented.

I want to point out to people that the Malaysian agreement is about one thing. The Malaysian agreement builds on the regional cooperation framework that was established at the fourth Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime ministerial conference in Bali in March this year, the Bali Process. It is about trying to get the region of Asia to accept what is happening in relation to refugees, particularly those who move through places like Indonesia as a secondary movement of asylum seekers.

Christmas Island is in my electorate and I cannot state more strongly how traumatised my constituents on Christmas Island were in the lead-up to the incident and during the incident last December in which a boat smashed on the cliffs at Rocky Point. Anything and everything we could possibly do as a nation and as a people to prevent that happening in the future, we must do. We must make every effort possible to stop people, women and children in particular, risking their lives by thinking that, if they can get on a boat in Indonesia and travel that dangerous journey to Australia, it is safe to do so. It is not safe to do so. We accept refugees in this country with open arms. As a result of this agreement with Malaysia we will be accepting 4,000 refugees from Malaysia and increasing our refugee intake. So people should not for one minute believe that this is not a country that is receptive to people who are seeking asylum. What we are not going to do anymore is stand by and see people risk their lives. Through this arrangement and through the legislation, we want to ensure that if you get on a boat in Indonesia and make your way to Australia—that is, to Christmas Island—then not only will you not be processed in this country but you will not be resettled in this country.

We absolutely want to break the people-smuggling model. In our dissenting reporting we make a comparison with the coalition's policy, which simply wants to tick the box and send people to Nauru. But, at the end of
the day, if people head off to Nauru they will be resettled in Australia as they have been in the past. We want to ensure that people get two very strong messages: not only will you not be processed here but you will not be resettled here. So this agreement is very strong in terms of building on the regional cooperation. It is very strong in terms of building on the cooperation we have with Malaysia. The report severely underestimates the work that has been done.

Finally, one of the things this report seeks to do is provide, in an almost hysterical sort of way, a report and discussion about what would happen in Malaysia. The very essence here is that asylum seekers who are transferred to Malaysia will not be illegal migrants. They will be exempted under section 55 of the Malaysian Immigration Act. That is the protection we can offer those people. That is the protection that we have come to agreement on with the Malaysian government. These asylum seekers will have entered Malaysia legally. They will not have committed any immigration offences under Malaysian domestic law, and we are confident that they will not be subject to any of the issues raised in this report.

**Senator CASH** (Western Australia) (18:39): I too rise as a member of the Legal and Constitutional Affairs References Committee to speak to the committee's report, *Australia's arrangement with Malaysia in relation to asylum seekers*. The submissions and the witnesses raised a number of very, very serious concerns in relation to the proposed Malaysia arrangement. Those who have gone onto the committee's website to have a look at the submissions that were provided to the inquiry would have seen that the majority—one might even say all—of those who provided evidence by way of the submission process provided comment on the Malaysia arrangement and expressed their opinion in absolute opposition to the arrangement.

It would be fair to say that based on the evidence the committee received it is patently obvious to everyone—except perhaps the current Prime Minister of Australia—that at its most basic level this so-called Malaysia arrangement is both inadequate and unacceptable. The evidence presented to the committee confirms that the arrangement was conjured up out of political desperation and, as a result, is extraordinarily imprecise. The parties' so called 'contractual obligations', which the previous speaker referred to, are couched in ambiguous, equivocal and vague language. They include terms that are not defined and as a result are both nebulous and imprecise in their meaning.

In reality, far from the contractual obligations of the parties being set out, as claimed by the government, the evidence presented to the committee confirms that the most offensive part of the arrangement is that it reflects merely the political commitments and the political intentions of the government. This is clearly set out in clause 16 of the arrangement, which specifically states that the agreement is 'not legally binding' on the parties.

That is perhaps the most abhorrent part of this arrangement—the fact that the document clearly states that the arrangement is not legally binding on the parties. That actually means, and what the evidence presented to the committee confirms, that there is absolutely no means for the Australian government to enforce the obligations of the parties as set out in the document—in other words, the document means absolutely nothing. In fact, Mr Rowan Anderson from the office of the Commonwealth Ombudsman described the arrangement as 'almost aspirational'. Why? Because it talks of commitments, not binding obligations. I
think this chamber knows that when you talk in terms of aspirations, often what you have are expressions of one's hopes, desires, wants and wishes. Certainly what you do not have are obligations that if breached by one of the parties can actually be enforced by legal means.

The Department of Immigration and Citizenship gave evidence that Malaysia has undertaken major obligations in relation to the principle of nonrefoulement of asylum seekers—to treat asylum seekers with dignity and respect and in accordance with human rights standards and to deal with the special needs of vulnerable cases, including unaccompanied minors—and that these are set out in the text of the arrangement. Again, though, the evidence from the department completely overlooks the fact that, because the agreement is specifically stated at clause 16 to be a non-legally-binding arrangement, the Australian government is actually powerless in the event that Malaysia does not comply with the arrangement. As the Ombudsman highlighted to the committee, there are actually no steps which can be taken by the joint committee or the advisory committee, the only bodies likely to be providing any form of oversight of the up to 800 people that Australia proposes to send to Malaysia, in the event that there is any breach of the arrangement. That is the Commonwealth Ombudsman giving evidence to the Senate committee that there are no steps that these so-called advisory bodies can actually take in the event that there is a breach of the agreement.

Evidence was further presented to the committee in terms of selecting Malaysia as the location to process the protection claims of the 800 'transferees', as they are referred to in the arrangement. The evidence actually highlighted the fact that the Australian government has chosen to completely ignore one key fact, and that one key fact, when you talk about protecting the human rights of the 800 transferees that we are going to be sending to Malaysia, is that Malaysia is, as we all know, not a party to the United Nations convention on the rights of refugees. At a minimum, the Australian government should meet the current Prime Minister of Australia's previous commitment to rule out sending asylum seekers who travel to Australia by boat to countries which are not signatories to the refugee convention. Obviously Malaysia does not satisfy the Prime Minister's own stated intention.

So, having established that the Malaysian arrangement is not legally binding and does not accord with the Prime Minister's own stated position in relation to the country having to be a signatory to the refugee convention, and having confirmed that the arrangement itself is not legally binding, as specifically set out in clause 16 of the agreement, we now have a situation in Australia whereby the Labor government, despite the overwhelming opposition not only in the evidence given to the legal and constitutional affairs committee but by the people of Australia, continues to tell us—and this is reflected in the dissenting report of the Labor senators in this committee—that it is committed to the Malaysia arrangement. We have the government of Australia committed to a policy that will send people who have come to Australia seeking our protection to a country where, as evidence to the committee confirms, statistics published by the Malaysian ministry of justice show that, in the five years between 2005 and 2010, some 29,759 unlawful entrants to Malaysia were subjected to the punishment of caning. That is an average of 16 floggings per day, every day. Again, the evidence to the committee confirmed that that is a common penalty provided by Malaysia under their Immigration Act to asylum seekers that are entering that country.
I pick up on the comments of the Labor senator who spoke previously, who said that the people that we send there will not be subject to that penalty because Malaysia is making a specific provision for them under the Immigration Act. But I turn back to clause 16 of the agreement that has been entered into by the parties. The agreement is not legally binding. That is not me saying that. That is not the majority of this committee saying that. That is what the Labor government of Australia have negotiated between the two parties, Australia and Malaysia. They have had it set out in black and white at clause 16 of the agreement that the agreement is not legally binding.

In the committee majority's view, the terms of the Malaysian arrangement and the associated operational guidelines, along with their practical implementation, are fundamentally hopeless and fundamentally flawed. In particular, the committee strongly believes that the Malaysian arrangement is lacking in significant detail and, most importantly, fails to address serious human rights issues. As set out in the report, if the transfer of asylum seekers to Malaysia proceeds then the Australian government will have failed dismally in fulfilling any so-called moral obligation that it allegedly claims that it has.

Question agreed to.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator Pratt): Order! It being almost 6.50 pm, the Senate will move to the consideration of government documents.

Consideration

The following orders of the day relating to government documents were considered:

Department of Agriculture, Fisheries and Forestry—Report for 2010-11, including financial statements for the Australian Quarantine and Inspection Service and National Residue Survey. Motion to take note of document moved by Senator McKenzie. Debate adjourned till Thursday at general business, Senator McKenzie in continuation.

Trade—New Zealand—Export of apples to Australia—Letter to the President of the Senate from the Minister for Agriculture, Fisheries and Forestry (Senator Ludwig) responding to the order of the Senate of 20 September 2011. Motion to take note of document moved, by leave, by Senator Williams. Debate adjourned till Thursday at general business, Senator Williams in continuation.


Departmental and agency grants—Budget (Supplementary) estimates—Order for Production of Documents—Letters of advice—Australian Organ and Tissue Donation and Transplantation Authority.

Department of Infrastructure and Transport.

Department of Families, Housing, Community Services and Indigenous Affairs.

Department of Regional Australia, Regional Development and Local Government.

Department of Innovation, Industry, Science and Research [2].

Climate Change and Energy Efficiency portfolio.

Motion to take note of documents moved, by leave, by Senator McKenzie. Debate adjourned till Thursday at general business, Senator McKenzie in continuation.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Pratt): Order! There being no further consideration of government documents, I propose the question:

That the Senate do now adjourn.
Shipp, Mr Ray

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (18:57): I rise tonight to speak about a man who has spent the best part of his life representing the people of Launceston and surrounding areas in my home state of Tasmania. I feel honoured to call Ray Shipp a friend and I feel it is only appropriate that I say a few words about his 27 years in public office. A local boy, he grew up in Launceston where he and his father, Bill, built their driving school. Ray worked in the driver education business in Launceston, teaching new Australians and young people of Tasmania road safety and the correct attitude and responsibilities when driving. Ray spent many of the following years giving driving tips and road safety advice on local television and radio.

Ray was a member of the Legislative Council for the seat of Launceston from 1968 to 1982. He then stood successfully for the Launceston City Council in 1985. He was re-elected at each election thereafter. Ray also held the position of Deputy Mayor from 1994 to 1999. Ray's dedication to his council responsibilities has been unwavering. I cannot overemphasise or overstate the contribution Ray has made to our community. I also need to mention his wife, Gail. I know she has been Ray's biggest supporter over the years and I would like to place on the public record my thanks—and I am sure I speak on behalf of our local community in thanking her—for her wonderful support to allow Ray to make the contribution he has over so many years.

It could be said that Ray is of the old school. He was and is a true gentleman. He has always been first and foremost a listener. Then, when he needed to make a contribution, it was always well thought out and relevant to the conversation, debate or discussion that he was participating in. His long career added to these discussions, as he has an example or story for almost every situation. His life experience enabled him to contribute and participate in the Launceston community with knowledge and experience like no other. He would often tell stories of his days teaching young people how to drive. He has seen many changes in legislation, both in local government and in his years as a legislative councillor. His council committee involvements include the Strategic Planning and Policy Committee, the Tender Review Committee, the Code of Conduct Panel and the Launceston Access Advisory Committee. Ray was also chairman of the York Park committee at the time of the sporting precinct's first major development in the late 1990s. He also played an important role on a Legislative Council select committee to investigate all aspects of the Tamar River, which is a local icon in the city of Launceston.

Martin Gilmour, the Editor of our local newspaper the Examiner, said recently:

The decision by Alderman Ray Shipp not to recontest his seat on the Launceston City Council marks the end of an era. To spend more than 20 years on the council, in addition to 14 years as an MLC for Launceston, is an extraordinary commitment to civic duty by any measure.

Many people regard Alderman Shipp as the council's unofficial historian and there is no doubt that this corporate knowledge has served the city well.

I could not agree more with these comments. True to form, Ray's decision not to contest the next election was not based on any selfish motives, nor is he in ill health. Ray has decided to make way for someone new because he has, and always has had, the best interests of the people of Launceston at heart. Ray said it had occurred to him that if he was successful this election, the next time
he was faced with the decision to stand or not, he would be almost 90 years of age. He said:

I thought it was probably time to make way for another person from Launceston who may have their eyes on a council career.

I truly believe that the elder individuals in our society, such as Ray, still have so much to offer the community. Their presence in the workforce is highly valued. Ray sets an example of how older Australians can continue to contribute to their communities well into their 70s and 80s. It is a well-known fact that we are now living about 25 years longer. The community benefits from retaining the older and more experienced individuals in the workforce but I also believe these individuals gain a great deal of purpose and satisfaction from contributing to society in an active way. It is no longer necessary to retire at 65 and wonder what to do for the next 20 years of life. Like Ray, we can continue to take an interest in our community and contribute for many years.

You may be wondering why I have chosen to stand here tonight and speak about a local council alderman. I believe Ray Shipp is a shining example to all of us. Ray is a man who has devoted his life to the betterment of his city and surrounding area. He has given his time to the community and he has been a voice on important issues for the people of Launceston. In my opinion, Ray is a man who reminds us all that we are here for a very important purpose. We are all representatives. We are here to be the voice for the voiceless, to stand up for the marginalised and to always ensure that the best outcomes are achieved for our country and communities.

As I said, Ray has made an outstanding contribution to our local community. He was never politically aligned during his time as a legislative councillor. He was an Independent—a true independent. In later years he joined the Australian Labor Party but when he was first elected to the Launceston City Council, once again he stood as an Independent. For me, it has been an honour to know Ray, particularly so over the last decade on a more personal basis. He has always been a good supporter, someone who is prepared to talk quite frankly to you, to put his point of view. But always at the forefront of his mind and his argument was what was best for our community.

Those genuine gentlemen are not always as obvious in our community as I think they ought to be. He was renowned, as I said, for speaking up for our community, for being there, for being a very good listener, being able to contribute to the debate but to bring a common sense point of view to whatever debate he was participating in. I wish Ray every best wish for his retirement from the Launceston City Council. He may believe that he is 'retiring' and is not going to have a public life in future but I think he will find it very hard to totally retire. He has certainly earned his stripes and the community's respect. I hope he has many more years ahead to enjoy his children and grandchildren and takes the opportunity to spend time with Gale and to reward her with his presence and his undivided attention as he has been able to have her support in enabling him to make a contribution to public life.

One of my colleagues said, 'Has something happened to Ray?' I said, 'No, I am making a contribution and acknowledging his contribution to our community. I can assure you he is in very good health.' Health is not a reason for him to consider retirement. He is one of those people who has come to the realisation that it is time to let someone else share some of the burden, some of the responsibility and leadership of our community. I acknowledge a job very well done and thank him for his contribution.
to our community. I also note his contribution in more recent years to the Australian Labor Party and its Tasmanian branch and, on a personal note, thank him for his guidance, his always very frank advice and his encouragement.

Breast Cancer

Senator CASH (Western Australia) (19:05): October is Breast Cancer Awareness Month and tonight I rise to speak on the issue of breast cancer. It is an issue that is very close to me because my fraternal grandmother passed away from it, and it is an issue that is close to so many of us in the Australian community. One in nine Australian women will develop breast cancer over the course of their life, making breast cancer the most commonly diagnosed cancer amongst Australian women. That means that one way or another, whether we like it or not, breast cancer will touch almost every Australian. If an Australian woman herself is not diagnosed with breast cancer, her mother, sister, girlfriend, niece, aunt or daughter may well be. There will be someone known to each and every one of us.

Breast cancer is one of the leading causes of deaths by cancer in Australian women. The sad reality is that more than 13,000 new cases of breast cancer are diagnosed each year, and 2,800 women will die each year from this cancer. Nine out of ten women who develop breast cancer do not have a family history of the disease. Breast awareness amongst Australian women has progressed thanks to public health campaigns and thousands of dollars have been raised by the National Breast Cancer Foundation through Pink Ribbon Day related events. For all these groups and for related services we can be very grateful. Rates of death from breast cancer where access to medical treatment delays diagnosis or prevents treatment are far higher. It is testament to the work of the National Breast Cancer Foundation and other breast cancer groups around the nation that women are no longer afraid or embarrassed to publicly discuss the health of their breasts or check that family or friends are up to date with mammograms and screening. In Western Australia we also have Breast Cancer Care WA, founded by philanthropist Ros Worthington OAM, which provides support for women and for their families at the diagnosis and treatment stages, and long term after their period of medical treatment may have ended.

Last week, I had the great honour of hosting a Pink Ribbon morning tea in Rockingham, a suburb in my patron electorate of Brand, along with Donna Gordin, the Liberal Party's candidate for Brand at the 2010 Federal Election. I was delighted that the member for Mackellar, the Hon Bronwyn Bishop, was also able to join us. Mrs Bishop's daughter Angela is herself a member of the Sydney Breast Cancer Foundation and Pink Ribbon Ball committee in New South Wales. Over 100 people joined us for morning tea, with breast cancer survivor Valma Sulc sharing her journey with breast cancer publicly and very bravely for the first time. Breast cancer is now so common that it is easy to forget how personal each case and the story of breast cancer, and indeed of each individual case of any cancer, actually is. Valma reminded us of that as she described how her grandchildren helped her to maintain her humour and enthusiasm throughout her treatment. I am proud to say we were able to raise more than $1,200 for the Cancer Council, and I thank the owner of Andiamo Restaurant, Andrea De Luca, for the enormous support he and his staff provided on the day, with the wait staff even dressing in pink.

While cases of breast cancer are increasing, better research means women are
more likely than ever to survive, with women whose cancer is restricted to the breast having a 90 per cent chance of survival. Early detection through breast screening and mammography is the main reason more women are surviving breast cancer. Trials like the LATER study, which commenced in 2007, are providing some hope that there may be a chance of preventing or delaying the recurrence of breast cancer in post-menopausal women.

However, the reality is that seven women still die every day from breast cancer in Australia and by 2015 it is expected that 42 women will be diagnosed with breast cancer every day. Seventy-five per cent of cases occur in women over 50, although women in their 20s have also been diagnosed. More than 800 women under 40 years of age are expected to be diagnosed with breast cancer this year.

Another cancer which has less of a profile in Australia, and which is unfortunately detected at a much later stage than breast cancer, is ovarian cancer. Approximately 800 women die from ovarian cancer in Australia each year. Three-quarters of these cases are at an advanced stage and have spread to other parts of the body by the time they are diagnosed, making them far more complicated to treat.

The most common signs of ovarian cancer, like abdominal or pelvic pain, a swollen or bloated stomach, the need to urinate often and a reduced appetite or difficulty eating, are shared with what are often common ailments and symptoms of less sinister complaints. Because of this, many women dismiss symptoms, associating them with weight gain, tiredness and feeling generally unwell or run down. Other symptoms women need to watch out for include unexplained weight gain or loss, inexplicable bleeding, back pain, indigestion or nausea, or excessive fatigue.

Like breast cancer, the cause of ovarian cancer is unknown, but on average three women will be diagnosed with the disease today and every day this year. Because the symptoms of the disease are so broad, Ovarian Cancer Australia advises women to be in touch with their bodies and know what feels normal to them, and when something does not feel right to make sure that it is investigated thoroughly. Ovarian cancer patients have been misdiagnosed in the past and sent for various treatments including physiotherapy for pulled groin muscles and painkillers for arthritis when there was a benign tumour the size of a five-month old foetus, and women have even been sent away from hospital being told there was nothing wrong with them.

Diagnosis for ovarian cancer can be made by physical examination, blood tests for a protein or tumour marker called CA125, which is higher in some women with ovarian cancer, or ultrasound or other types of imaging tests—but because there are four types of the cancer and because the symptoms are so broad, diagnosis can be difficult. However, there is hope for some women diagnosed with ovarian cancer after an Australian-led trial conducted at the Royal Melbourne Hospital, the Prince of Wales Hospital in Sydney and several overseas hospitals found a drug that delays progression of the cancer in a patient with the most resistant type of the disease.

Although Ovarian Cancer Awareness Month is February, a group of women created an initiative in 2007 which runs each October, and last year, in its fourth year, it raised $112,000 for research into the disease. Frocktober began in Geelong when a group of friends passed a hat around at the pub, with the aim of starting to raise money for
women's health. They chose to support ovarian cancer because of its lower profile in Australia. Frocktober is now a national event where women wear a dress each day in October and raise money through friends, families, workplaces and local communities. The organisers encourage women not to buy a new dress but to wear an old one and contribute the difference to the cause. In Parliament House we have Alessia Maruca, from Senator Boswell's office, undertaking the challenge, as well as journalist Katina Curtis.

It is part of Ovarian Cancer Australia's mission to ensure that all Australian women know the symptoms of ovarian cancer. I believe every Australian should know those symptoms. It is only through awareness and taking more seriously symptoms and changes in the way we feel, and the way our mothers, daughters, partners, sisters and friends feel, that diagnosis and prospects for survival can increase.

I urge everyone in this chamber and anyone who might be listening to this speech or might read a transcript of it to start having conversations about ovarian cancer and what the signs and symptoms are. Our lives are incredibly busy but nothing is more important than our health, and signs and signals that we might brush off may turn out to be more than just being a little bit tired or feeling a little bit unwell.

**Uranium Mining**

**Senator LUDLAM** (Western Australia) (19:15): I rise to speak on a different matter but one which perhaps has some relation to the contribution just made by Senator Cash. To begin with, I acknowledge the Arabunna and the Kokatha people of central South Australia, who are coping with the news as of yesterday that the Commonwealth government has signed off on a colossal expansion of the Olympic Dam copper-gold uranium mine. I also acknowledge my South Australian state parliament colleague Mark Parnell, who has done an enormous amount of work watchdogging this project and trying to come up with constructive counterproposals that would let the project go ahead without the extraordinary environmental, social and public health impacts of the project as proposed. I am speaking in particular of a study that was conducted about this time last year by Dr Gavin Mudd, a hydrogeologist at Monash University, on a proposal for the expansion of Olympic Dam that would go ahead without the uranium circuit—so the mine would proceed as a copper-gold venture—and with the processing being undertaken here in Australia rather than BHP's current proposal to simply export the smelting operations and, indeed, those highly skilled jobs to China.

The concept of environmental protection took on new meaning yesterday with the announcement of Commonwealth environmental approvals for this venture. The Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke, said, 'We have the toughest environmental conditions that you'll ever find imposed on a uranium mine.' This, I think, is known in the technical literature as a bald faced lie. We know this because the toughest environmental conditions found at a uranium mine are 2,000 kilometres northward at the Ranger Uranium Mine, on a lease chopped out of Kakadu National Park in the Northern Territory. There the company is required to backfill the mine voids with radioactive waste, removing—

**Senator Carol Brown:** Madam Acting Deputy Speaker, I rise on a point of order. I think that part of Senator Ludlam's contribution about Mr Burke being a bald faced liar is unparliamentary and should be withdrawn.
The ACTING DEPUTY PRESIDENT (Senator Pratt): Yes. I ask Senator Ludlam to withdraw those remarks.

Senator LUDLAM: I withdraw the accusation that our environment minister is a bald faced liar, Madam Acting Deputy President.

Senator Carol Brown: It would be nice if he did it with some courtesy.

The ACTING DEPUTY PRESIDENT: You have to withdraw it without repeating it, Senator Ludlam.

Senator LUDLAM: Certainly, Madam Acting Deputy President. As I was saying, if we are talking about what world best practice or highly regulated uranium mining is, we need only point to what is occurring at the moment in Kakadu National Park, where the company is required to isolate the radioactive wastes from the wider environment for a period not less than 10,000 years by removing the radioactive tailings and putting them back in the mine pit. This is clearly an impossible task, but it is at least a worthy ambition. No such duty of care will be applied for the benefit of South Australians.

Mr Burke has earnestly reassured the public that conditions will apply for 10 years after the life of the mine. He has granted approval for the mine-tailings waste to be dumped and left out on the surface in apparent ignorance of the fact that the residual inventory of uranium 238 has a half-life of 4½ billion years and that the mine wastes will contain a cocktail of unwanted daughter isotopes including radium, protactinium, radon gas and radioactive lead.

In the course of processing, the uranium ore is milled to the consistency of wet talcum powder and chemically treated to extract most of the uranium, leaving the rest of this toxic garbage behind. By 2020, with operations in full swing, the company informs us that around eight megalitres of contaminated, radioactive water will be leaching into local groundwater every single day from beneath the largely unlined tailings structures. The company has sought to minimise costs by lining only a small area of each tailings cell. So the minister has just agreed to require up to four per cent of the tailings storage facility to be lined—stringent conditions indeed.

If these ore bodies are locked up in the host geology hundreds of metres below ground, they pose no hazard to human health. However, if blasted free, crushed and left on the surface in colossal piles, it is inevitable that this material will gradually work its way into the environment and into the food chain as it is right now at other neglected uranium mine sites around the world. Not all of it will be left in South Australia, of course, because BHP's preferred project configuration has the majority of the uranium infused bulk copper concentrate—some 1.2 million tonnes of mine wastes every year—sent to China for smelting, leaving much of the radioactive material as someone else's problem. But we will have our own legacy in Australia. Out to 2050, BHP plans to mill and dump 2.3 billion tonnes of toxic, radioactive mine tailings in outback South Australia. That will leave behind roughly 1.3 cubic kilometres of radioactive waste, enough to bury Adelaide's central business district 370 metres deep—almost exactly three times the height of Adelaide's tallest building—in finely powdered radioactive tailings.

I am well aware that these back-of-the-envelope calculations will not be of the slightest interest to the assembled politicians who lined up to abase themselves before BHP's otherworldly revenue estimates. It is assumed that the future will take care of the intractable wastes left behind, and there is actually a grain of truth in this. Check your current federal budget and you will find
several million dollars appropriated to assess a clean-up strategy for the relatively small Alligator Rivers uranium mines in the Northern Territory. The clean-up bill for these radioactive hotspots, mined out half a century ago, will look like loose change compared to the liability being planned for future taxpayers as a result of yesterday's decision.

Radioactive wastes cause cancer—a small detail that does not get much of a mention in BHP's environmental documentation. Something has gone deeply wrong here. It is by no means certain that this project is going ahead—although that is for reasons more to do with global market instability than anything else—but what confidence should we have in our body of environmental law, built up over a generation, when the creation of a carcinogenic waste pile the size of a small mountain range is not only legal but cause for celebration?

Again I would like to acknowledge the work of local Aboriginal elders and antinuclear campaigners, in particular Uncle Kevin Buzzacott, who has been tireless and inspirational in this role over a long period of time. He was reported as saying that he has been opposed to the mine from the outset because it encompasses sacred areas for the people of the region. He says:

We are not going to rest until the government reverses its decision. We want BHP Billiton out of the desert.

These words, although they may seem a long way away from Capital Hill, have inspired people like me and a whole generation of campaigners who will not rest until the toxic, deadly and obsolete uranium mining industry is phased out in Australia.

**Micah Challenge**

**Senator BILYK** (Tasmania) (19:22): I would like firstly to take the opportunity to associate myself with the speech by Senator Cash about ovarian cancer. It is an area that I have spoken on myself previously in this place, and it is a very important issue. So I thank her for her speech on that.

But tonight I rise to speak on the Micah Challenge, which is a Christian movement that is part of a global campaign to improve society's understanding of justice issues, to engage with the poor and to reduce poverty. Micah Challenge is focused on contributing to ensure that Australia reaches the Millennium Development Goals, or MDGs. Australia joined with other nations in New York in 2000 for the Millennium Summit, to declare:

We will spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty … Since 2004, over 114,000 Australians have taken part in the Micah Challenge to support the MDGs. It is a sign of the generosity of spirit within the Australian community to see so many people committed to helping others. The Micah Challenge campaign has been endorsed by more than 50 agencies, and the movement is lobbying the government to do everything possible to achieve the MDGs by 2015.

I had the opportunity to meet with some members of Micah Challenge while they were visiting Parliament House in September, and I have also met with other members in previous years. The members of the group I met this year were Jeff McKinnon, Robyn McKinnon, Nick McKinnon, Cranston Laycock and Tiarna Jenkins. Robyn also brought with her possibly the youngest member of the Micah Challenge, her six-month-old son, Will. The members of this group are all from my home state of Tasmania, and it is heartening to see Tasmanians working to ease the suffering of others, even though those others are thousands of kilometres away. Tiarna and Cranston are both students at Cressy District
High School and are a fine example that anyone, of any age, can help to make a difference. It was obvious that each member of the group was dedicated to the causes they were speaking about. It is wonderful to see our teenagers taking an interest in the wellbeing of others.

Micah Challenge participants make an annual pilgrimage to Canberra, known as Voices for Justice, and in 2011 approximately 230 people travelled to Parliament House to hold meetings with members and senators. They also held a breakfast to further raise awareness on the issues of poverty and social justice. The message from the 2011 Voices for Justice was WaSH, which stands for: access to clean water, basic sanitation and hygiene. WaSH focuses on how clean water, basic sanitation and hygiene contribute to improved child and maternal health, which is related to MDGs 4, 5 and 7. The United Nations General Assembly states:

Safe and clean drinking water and sanitation is a human right essential to the full enjoyment of life and all other human rights …

Goal 4 is to reduce child mortality, goal 5 is to improve maternal health and goal 7 is to ensure environmental sustainability.

Globally, progress has been made on all MDGs, but there is still more work to be done. According to this year's United Nations Millennium Development Goals report, there have been some improvements made in developing regions since 1990. The number of people living in poverty has fallen from 46 per cent to 27 per cent. The number of people suffering from hunger has declined from 30 per cent to 23 per cent. The percentage of people with access to clean water has increased from 72 per cent in 1990 to 84 per cent in 2008. Some parts of the developing world have seen a decrease in figures for people living with diseases such as malaria, polio and HIV-AIDS. But, sadly, each year about 8.1 million children still die, and a large percentage of these deaths are preventable. To put that into context for people listening, that is equivalent to almost a third of Australia's population. It is a fact that is difficult to appreciate, but it is one we should not and cannot ignore.

The World Health Organisation estimates that 28 per cent of child deaths could be prevented by using the WaSH motto. That is more than two million children who would be saved from death from preventable diseases in a single year. Thousands of mothers would also be saved from preventable infections and inadequate nutrition by using the WaSH motto. Improvements to WaSH can be made at a relatively low cost. The World Bank estimates that WaSH is one of the most cost-effective interventions available. In addition to the health benefits gained from WaSH, there is also a considerable positive impact on the economy. WHO estimates that each dollar invested in WaSH provides a nation's economy with a return of $8, which is a considerable return to the economy.

Australia is a very fortunate nation, and most of us take clean water and access to a toilet for granted. However, many people are not as lucky as we are. An example of the importance of WaSH is that, in developing countries, almost 15 per cent of child deaths are directly attributed to diarrhoea. That is pretty hard to imagine in Australia, where the rate is almost nil. It is estimated that half of the hospital beds in the developing world are at any one time filled with patients who are ill because of inadequate WaSH. In addition to diarrhoea, malnutrition, intestinal nematode infections—also known as roundworms—the eye disease trachoma and schistosomiasis, an infection caused by using water bodies contaminated with excreta from ill people, are all related to WaSH. Malaria and dengue fever are also related to WaSH.
The application of WaSH could also significantly improve education in underdeveloped nations. Two hundred and seventy-two million school days could be gained by meeting the WaSH MDG, which is especially important for girls. The rate of girls staying in school increases when there is access to private toilets, so the lack of these facilities causes some parents to withdraw their child from school for safety and privacy reasons. Children who suffer constant water related illness are often disadvantaged in their study because they may have a high rate of absence or may have trouble concentrating, and therefore leave school early.

Ready access to clean and potable water provides significant improvements to the lives and health of those living in poverty. Lack of adequate water supply and sanitation exposes people with HIV-AIDS to increased risk of infection. HIV infected mothers require clean water to make formula milk so that they do not pass on the infection to their baby. Poor sanitation and drainage contribute to malaria, which claims some 1.3 million lives a year—90 per cent of those lives are children under the age of five. It is important to integrate water and sanitation into national and global strategies for tackling malaria. Investing in drainage and sanitation facilities can reduce the presence of flies and mosquitoes.

According to the United Nations, the net benefit of achieving universal access to sanitation and drinking water is approximately A$180 billion per year. That benefit comes from reduced costs to health care, improved productivity in schools and workplaces, time savings from the reduced need to collect water and people living longer and being healthier. The return through associated improvements in quality of life, reduction of childhood mortality rates and reduction in suffering from water borne diseases is immeasurable.

We are committed to international aid and, through this, to playing a role in improving the health of people in other countries. The Australian government works with the governments and people of developing countries to deliver aid where it is most needed and most effective. In the 2011-12 budget, the Gillard government has focused on improving access to education, better maternal health for women and children, access to water and sanitation, tackling avoidable blindness and eliminating violence against women.

On 5 October 2011, the Minister for Foreign Affairs, Kevin Rudd, launched the Dollar for Dollar initiative, which matches each dollar donated by the public to the Horn of Africa appeals run by 16 AusAID accredited non-government organisations. Under the initiative, every dollar the Australian community donates will be matched by the Australian government. The initiative will continue until 30 November 2011 and allows the Australian community to choose for themselves where their money should go. Each of the non-government organisations involved has a current appeal running and has been accredited by AusAID. Twenty dollars will provide a clean water kit—soap, bucket, and water purification tablets—for a family of five for one month. Fifty dollars can power a borehole pump to supply water to 500 people for four days; under the Dollar for Dollar initiative we can make that 1,000 people for four days. Four hundred and fifty dollars can truck in enough water for 50 refugees for a month; under the initiative we can make that 100 refugees.

Australia’s foreign aid is forecast to increase from 0.33 percent of gross national income in 2011-11 to 0.35 percent of GNI in 2011-12. (Time expired)
Local Sports Clubs

Senator McKENZIE (Victoria) (19:33): I rise tonight to talk about football and netball. In Victoria and across the country, the lifeblood of many regional communities is their local football or netball club. As generations of families work together, playing, supporting and volunteering for their local clubs, a strong sense of connectedness has developed. Many lifelong friendships and, yes, I admit, rivalries have been forged on the sidelines while cheering a local team on. We can all picture our local club where families, particularly in country areas, drive long distances for a day out, packing chairs and thermos as well as beanies and netball gear that display the passion for local teams. Over the last month, during finals time, particularly in country areas, the main streets of country towns have been decked out with team colours.

Dr Ramon Spaaij, a senior research fellow at La Trobe University, states that: Local sports clubs are integral to the social and cultural life of many country towns and provide an important public space for connection.

In his book Sport and Social Mobility: Crossing Boundaries, Dr Spaaij quotes a school teacher in north central Victoria he interviewed as part of his research who says that organised sport in their community is 'the binder rather than the segmenter'. That's about how local football and netball clubs bring communities together in places where there may not be as many opportunities for social and community interaction.

Communities are strengthened through their clubs, breaking down barriers between social classes and between people who might not otherwise interact. Many parents start out on the sidelines of junior football and netball and go on to become involved in coaching, fundraising, working in the canteen and progressing to team trips away for carnivals. They even stick around when their children have children of their own, coming along to watch the grandchildren. These children and young people are imbued with a sense of pride in their team and their club, and hence in their local community. Their commitment is fostered, they have role models and this spirit goes beyond the team, filtering through families to the broader community. Football and netball clubs also, of course, promote physical activity and fitness, and promote self-esteem and wellbeing in young people. These are all qualities to be commended and something I am particularly interested in, specifically for young women.

During the sitting break, I had the privilege of attending the Bendigo Football Netball League grand final day. Congratulations to the mighty Golden Square for winding up 2011 football premiers with a very powerful performance, one they sustained all season, against Eaglehawk. Congratulations also to the Bendigo Football League on its 130th anniversary—an impressive history. In country Victoria, grand finals are a celebration that is part of the fabric of so many communities. Talking about participation in football in country areas, I am reminded that almost one in four eligible juniors in regional and rural Victoria participate in local football. That figure is substantially higher than that of Melbourne. In some regions participation is much higher again. In Buloke Shire, north of Bendigo, 90 per cent of young men aged between 13 and 18 play football. That is an extraordinary figure.

However, I am not here to speak just about football. There is another game with rich traditions and, as a monarchist, I am proud to say it is played in most Commonwealth countries. ABS statistics show that 376,000 Australians play netball, more than AFL, rugby league and rugby union combined. Last night, I attended a
dinner with many other members of the parliamentary sports club, for which, after hearing the results, I see that participation is clearly the focus. The focus last night was on the great sport of netball and, in particular, on the guests of honour: the members of the Australian Diamonds netball team. Tomorrow night they play England here in Canberra at the AIS. I am sure that everyone will join with me in wishing them the best of luck as they represent our nation as elite athletes. The Diamonds, winners of this year's world championship, are an inspiration to all budding netballers. The Australian Diamonds are great role models for Victorian and Australian girls and women. They are strong, physically active, healthy young women.

In wishing them all the best for tomorrow, I also want to congratulate the thousands of Victorians who participated in recent weeks in their own footy and netball grand finals. In the great tradition of the parliamentary netball team, where participation is more important than performance, I really applaud all those fantastic Victorian footballers and netballers who played all season without getting to the finals and are in there having a go. Like us, there is always next year.

Armenian Genocide: World War I

Royal National Park

Senator RHIANNON (New South Wales) (19:38): Tonight I would like to share with my fellow senators the memories of Australian soldiers who witnessed terrible atrocities during World War I. A few elderly New South Wales constituents have raised with me their concerns at how few Australians know about the genocide perpetrated against the Armenian people by the then Ottoman Turkish government from 1915 to 1923. I was ignorant of these facts and that many of our young soldiers bore witness to these crimes. I thank those who have provided me with this information. Some 1.5 million innocent Armenian men, women and children died in this act of genocide and a further one million were deported from their ancestral homeland.

ANZAC soldiers were taken prisoner on all the battlefronts with the Ottoman Turkish forces. These are a few of their stories. Australian Flying Corps Captain Thomas W White was captured in central Mesopotamia. In his memoir, Guests of the Unspeakable, he recorded that the Allied prisoners who were kept in the Armenian church of Afyonkarahisar used its graveyard as their exercise yard. White wrote that the iron-covered Armenian cemetery gates were 'riddled with bullets as if by machine gun fire' and suggested that some Armenians had 'sold their lives dearly'.

HMAS AE2 Able Seaman John Harrison Wheat wrote in his diary entry for 18 August 1915:

All the Armenians are driven from the town Afyonkarahisar. The principle cause of this is the Armenians are Christians and all the business of the town is carried on by them. There is a very strong feeling against the Christians in this Country. At this time, thousands of Armenians were turned out of these big towns to starve and thousands were massacred.

Lieutenant Luscombe, captured ANZAC 1915, recorded in his memoir, The Story of Harold Earl:

Towards midday we stopped at the rail junction town of Eskisehir, where we were provided with our first meal of the day. At this station we witnessed a sad and depressing sight. On the opposite side of the platform another train was standing. It was composed of a number of empty two-tier steel sheep trucks. On the platform a considerable number of Armenian women and children were huddled together. As our train pulled into the platform, Turkish soldiers armed with whips were driving the women and children into sheep trucks. It was evidently intended to
transport them to some distant concentration camp.

Another twist of fate links Australia with this tragedy. The acts of genocide against the Armenian people started on 23 April 1915, just two days before the Gallipoli battle that saw the ANZAC soldiers attempt to invade Turkey. The Australian War Memorial records that this battle cost 26,111 Australian casualties, including 8,141 deaths.

When international jurist Raphael Lemkin coined the term 'genocide' in 1944, he described the deaths of Armenians from 1915 to 1923 as a defining example. Since then more than 20 nations have recognised the Armenian genocide as a crime against humanity, as have a number of international organisations including the International Association of Genocide Scholars, the European parliament, the South American parliament and the World Council of Churches.

The New South Wales and South Australian parliaments have also recognised the Armenian genocide. In New South Wales a motion was passed acknowledging the massacres by the Turkish government. The then New South Wales Premier, Bob Carr, called on Turkey to acknowledge the genocide of the Armenians. The New South Wales motion condemned the genocide of the Armenians and all other acts of genocide, as well as all attempts to deny or distort the historical truth of the Armenian genocide. Sadly, the successor state of the Ottoman Empire, the Republic of Turkey, continues to deny the historical reality of the Armenian genocide. Armenian monuments in Turkey continue to be destroyed and under article 301 of the Turkish penal code individuals in Turkey can be prosecuted for discussing the Armenian genocide. It would be worthy of this parliament to pass a motion similar to that passed by the New South Wales parliament.

South of Sydney, stretching along the coastline from Cronulla down to Stanwell Tops, is the stunning Royal National Park. I am proud to be supporting a strong community campaign to win World Heritage listing for the Royal National Park, and also the nearby Garawarra State Conservation Area and Heathcote National Park. These three parks represent an extraordinary mixture of natural antiquity and cultural histories. The Royal National Park is already recognised on the National Heritage List. There is a strong case for them to gain World Heritage listing, and the community based campaign is growing in support as more people learn about the values of the parks and understand the significance and benefits of winning World Heritage status.

I am deeply committed to this effort to gain international heritage listing for Royal National Park and the associated parks. In 1975 I visited this national park each week to conduct field studies for my honours thesis, *The nature of sclerophylly: ethylene and the growth of Banksia species under water logged conditions*. It was a wonderful year for me, exploring the hanging swamps, heathland and sandstone ridges that make up the beauty of this park. The Royal National Park was the first designated national park in Australia and the birthplace of the Australian conservation movement. It was the scene of one of the first environmental protests in Australia and, I understand, possibly the world. From 1920 through to 1927, there was a successful campaign to stop logging within this national park.

The three parks deserve increased protection and recognition due to their exceptional natural beauty, diverse vegetation and geomorphology and outstanding Hawkesbury rock formations. The Royal boasts dramatic sea cliffs and caves, golden beaches, rambling inlets and the Port Hacking River. It is home to iconic features,
such as the figure-of-eight pools, Palm Jungle and the Bulgo sea caves, which further contribute to the outstanding natural scenery.

As well as these natural heritage values, the landscape is scattered with evidence of the cultural continuity of its Aboriginal people, with many ceremonial sites, burials, middens and occupational sites and rocks. This exquisite country was settled over tens of thousands of years ago by the Dharawal people. You will find evidence of the Aboriginal occupants and their artistic and spiritual expression in this park. There is an Aboriginal calendar of the Royal National Park, not based on the sun; rather, it is a resources calendar. It is absolutely wonderful to see because it tells the story of what is important in the Royal, and ties events, movements and activities to natural phenomena. These cultural landscapes represent a unique example of the combined works of nature and humans, a designation used in article 1 of the World Heritage convention that determines if a site qualifies for World Heritage listing.

The Royal National Park, Garawarra State Conservation Area and Heathcote National Park share one of the richest concentrations of plant and animal species in temperate Australia. These areas exemplify the biodiversity of the ecosystems of the Sydney Basin Bioregion and display the continuing ecological and biological processes of adaptation. The drift of Australia from Gondwanaland and the long periods of isolation make Australia one of the great evolutionary stories of the planet. In this dry continent there are only a few surviving remnants of Gondwana biota, including those surviving in moist ecosystems in the Royal National Park. The Sydney Basin's abundant diversity of eucalypts provides an outstanding record of the evolutionary processes associated with global climatic changes during the late tertiary and quaternary periods.

The case for World Heritage listing for the Royal National Park and nearby parks can be compared to the case that was made for the Greater Blue Mountains region to gain World Heritage listing. In 2010 a group called the First National Park formed a campaign for World Heritage listing of this park and the two associated parks. I congratulate Bob Walshe, Phil Smith and Bob Lipscomb for the leading work that they have done and for the information they have provided to me. They have certainly inspired my work on this campaign. The Greens are proudly backing this work to get this area World Heritage listed. I will continue to work with the local community to build the case, and I acknowledge the support of my colleague Senator Larissa Waters, the Greens federal environment and natural heritage spokesperson. We think these parks are special and deserving, and we would love you to join us and add your voice to the call. The First National Park group is building the case, winning community support and taking this proposal to the government. I congratulate them on their efforts to date and their long-term vision for Sydney and the nation's future. I look forward to one day visiting these World Heritage listed parks in Sydney.

Workplace Relations

Senator URQUHART (Tasmania) (19:48): I have been a representative of working Australians for over 20 years. Through those years my union, the AMWU, and I have campaigned for improvements to Australia's workplace relations system in areas such as workers compensation, training opportunities and conditions. Tonight, I rise to speak about a very specific part of Australia's workplace relations system—that is, the protection of workers' entitlements when an employer is liquidated or declared
bankrupt, workers hard-earned entitlements, such as redundancy pay, annual leave, long service leave and unpaid wages that have been wrongly spent and are gone.

For a company to whom a worker has been a loyal employee for decades to use these entitlements as some sort of a short-term, high-risk loan without making any provisions to pay them back is morally wrong under any reasonable standard. For a worker to be faced with a redundancy is a tough enough issue to deal with emotionally and economically without the added stress of missing entitlements. Australia is the country of a fair go. We are a country that believes in reward for hard work, not in the pilfering of workers' entitlements by company directors. This is wrong and the protection of workers' entitlements needs to be enshrined in legislation that will ensure that a worker receives all of the entitlements they have worked hard for.

One such case has occurred at the Automotive Components Limited factory in the northern suburbs of Launceston, in my home state of Tasmania. ACL emerged from a 1986 buyout of various automotive component businesses owned by Australian motoring brand Repco. The factory site comprises four plants, each serving unique purposes but interlinked in their many processes. The older plants are Nos 1 and 2. Plant 1 produces copper strips with powder sintered onto them which are carted up to plant 2 and used to make car bearings. The newer plants are Nos 3 and 4. Plant 4 produces metallic powders that, at plant 3, are poured from a great height into moulds and then baked. Moulds include high-tech car components as well as parts for stoves, lawnmowers and even lock mechanisms.

The global financial crisis hit the automobile industry hard. Car sales were down, affecting plants 1 and 2, but after-market sales were slightly up, which saw plants 3 and 4 doing better than plants 1 and 2. Further, ACL were normally able to hedge their exchange rate risk but the GFC rendered this unavailable. In August 2009, ACL entered into voluntary administration, placing the jobs of up to 300 Tasmanian workers at risk. However, the ACL voluntary administration was unique; the components manufactured by ACL were crucial to the Australian car industry, with the Launceston factory at the time being the sole supplier of a particular engine bearing for Ford Australia. The closure of this factory would have resulted in a serious production issue for Ford.

Ford had, only some months before, provided a substantial injection of funds to ACL, which had looked to avoid closure when it received this and a multimillion dollar assistance package from the federal and state governments. ACL had run multimillion dollar losses for the previous two financial years, but these cash packages gave workers and the industry hope that ACL would push through. As Ford was a secured lender to ACL as a result of its recent cash injection, it had the power to appoint a receiver-manager. It did so and, due to Ford's requirement for some of the specific components produced by ACL, it sought to continue trading. Unfortunately, within three or four weeks of appointment, the receiver-manager deemed that redundancies were necessary. One can appreciate that a company that had recorded losses of $11.5 million and $8.7 million in the previous two financial years and had received government and private sector bailouts but could no longer remain financially viable would need to restructure and that through this restructuring some 105 jobs would be lost. As an organiser at this factory for a number of years, I got to know
a lot of the workers very well and days like that were terribly disappointing.

The shock of redundancies was one thing but to then discover that the bank was empty and no funds were available for entitlements was a whole extra shock for these workers. ACL's director Ivan James had used his employees' entitlements—annual leave, long service leave as well as provisions for redundancy payments—as a high-risk, short-term loan, which we all quickly found out the company had no capacity to pay back. This left ACL's redundant staff with nothing from the company. Most of the people had worked at ACL for many years—some for over 40 years of their life. They had given everything. They had collectively gone without pay rises and taken on fewer hours so that they could all keep their jobs and keep the company going.

At the same time, the managing director, Ivan James, did contribute to the issues the company was facing by reducing his income to $1 a week, as he advertised on the SBS *Insight* program around that time. However, once the company received government assistance, Mr James went back to his voluptuous salary of over $7,000 a week. But that was not enough. He then awarded himself an additional $2,000 per week. Some would say this was to make up for lost time. The workers saw it as a massive kick in the guts. From this revelation, the workers were angry—so angry that over 120 attended a barbecue lunch on the nature strip in front of Mr James's property one Saturday with one question on their minds, emblazoned upon T-shirts they all wore. That question was: 'Where are my entitlements, Ivan?'

The government somewhat assisted these workers through the General Employee Entitlements and Redundancy Scheme, GEERS. I say 'somewhat' because these workers were given a redundancy payout of up to 16 weeks—four months—pay. And the taxpayer had to foot the bill. Some of these employees had been with ACL for decades. Their enterprise agreement had provided for four weeks pay for every year of service in the event of a redundancy, with a cap of 96 weeks for workers who had in excess of 25 years employment. There was one worker who had over 40 years of service who would have been owed about $110,000, but because of the limit of GEERS at the time he got only $28,000. That is a worker whose family missed out on over $80,000 in payment—a payment that could have seen this worker enjoy a decent retirement; a payment that would have given a respectful end to his years of commitment and hard work at that factory.

This Gillard Labor government believes in protecting workers' entitlements. An election commitment from the 2010 federal election titled the Protecting Workers' Entitlements package was released by Prime Minister Gillard in July 2010, at around the same time as the AMWU National Conference. In this election commitment, the Prime Minister promised to change the GEERS operational arrangements to provide workers' full entitlements, including redundancy pay up to a maximum of four weeks for each year of service, all annual leave, all long service leave and up to three months of unpaid wages. The Prime Minister promised to replace GEERS—which is an administrative system—with the Fair Entitlements Guarantee, which will be enshrined in legislation to ensure it cannot be abolished or easily amended so that the entitlements of Australian workers are protected.

I was a Senate candidate at this time of the announcement and the National Secretary of the AMWU, Dave Oliver, said to me after the announcement that this would be one of the pieces of legislation that I would see passed as a new senator and that it would be
a very proud day when that occurred. To the credit of the Gillard Labor government, the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Chris Evans, and the Parliamentary Secretary for School Education and Workplace Relations, Jacinta Collins, amended the GEERS to fix the redundancy pay issue from 1 January this year. This was a tremendous step forward for working Australians and for the Australian union movement.

A fond memory of the campaign was the time spent with former ACL workers whose redundancies had left them many thousands of dollars out of pocket but who recognised that if Australia re-elected a Gillard Labor government workers' entitlements would be protected in the future. These workers knew that any changes would not provide them with any extra payments but, in the true solidarity of the trade union movement, they knew that if other workers faced redundancy as they had, their colleagues—their mates—would receive their correct entitlements. People could see a real problem that a Labor government was committed to solving, if re-elected.

In 2011, hundreds of workers across Australia have been made redundant only to find that their company has not put money aside to pay their entitlements. This includes a further 33 workers at ACL in Launceston who were recently made redundant. However, thanks to the Gillard Labor government, the federal Labor member for Bass, Geoff Lyons, and the AMWU, there was a positive light for these workers. While they were faced with the terrible news that they were being made redundant, the amendments to the GEERS operational arrangements saw them receive their full redundancy entitlements, four weeks for every year of service—money that would allow time for retraining or for the transition to a comfortable retirement; money that these workers knew would not be possible without a Gillard Labor government. It was quite touching to hear from former ACL workers a few weeks ago that their service and their collective action had been rightfully recognised.

Polio Eradication

Senator PRATT (Western Australia) (19:58): This evening I rise to speak on an important topic for Australia and the world, and that is the eradication of poliomyelitis, or polio. Over 10 years ago, the World Health Organisation recognised that polio had stopped circulating in Australia and, indeed, in the western Pacific region. It is a truly important achievement. The eradication of polio from Australia brought a great deal of relief to so many. Globally, the incidence of polio has been reduced by a staggering 99 per cent over the past 30 years. That is thanks to a vaccine developed in the 1950s and distributed by governments and non-government organisations—like Rotary International—worldwide. Over the last 25 years, Rotary have been a driving force in the eradication of polio across many parts of the world. I am pleased that they are now part of a very strong push to finally end polio and completely eradicate this virus. As Rotary says about ending polio: 'It's a window of opportunity of historic proportions.'

This month is Polio Awareness Month. There are, I believe, a couple of things that we need to be aware of. The first is that, as organisations like Rotary and others such as UNICEF tell us, polio still has devastating effects in countries such as India, Pakistan, Nigeria and Afghanistan. The second relates to the lasting effects that polio has had, and continues to have, on Australians. There is an important relationship between these two. We must stop this virus in its tracks for the humane reason of preventing thousands of people suffering its painful, debilitating and
even deadly effects. It is a trauma that is still remembered here in Australia and many still live with its legacy. We are very fortunate that we have eradicated the disease here. It is a freedom that all should have and it is achievable if we commit ourselves to this effort.

Fortunately at a global level a lot is being done to eradicate polio but there is much more to be done. Much of the drive for this hard work is happening at a community level. For example, The End of Polio campaign is a grassroots campaign coordinated by the Global Poverty Project, in support of the efforts of the Global Polio Eradication Initiative by Rotary International, UNICEF, the World Health Organisation and the Bill and Melinda Gates Foundation. Some of this work, I am very pleased to say, is being done in my home state of Western Australia. Just last week, The End of Polio campaign held a breakfast in Perth to raise awareness of the work that needs to be done and to raise funds for this very important work. The breakfast was held in conjunction with the Rotaract Club of Subiaco and it packed the Perth Convention Centre. I would particularly like to acknowledge the work of Tegan Smith of the Rotaract Club of Subiaco. Tegan was the event coordinator for the End of Polio Breakfast and I think its success is an attribute of her wonderful donation of time and energy. Tegan is such a great example of the difference so many have made in committing to doing something about polio. All of those collective and individual efforts really have added up.

I also thank the Governor of Western Australia, Malcolm McCusker, for making a significant contribution to the event. I also congratulate Michael Sheldrick of The End of Polio campaign on his efforts in coordinating this important campaign. The campaign has been working hard to get the eradication of polio on the agenda for the forthcoming Commonwealth Heads of Government Meeting to be held in Perth at the end of this month. I think it is really fitting that in Polio Awareness Month this goal will be realised.

The End of Polio campaign has also planned a fantastic End of Polio Concert on 28 October, as part of the CHOGM events, at a great venue, the Belvoir Amphitheatre. I am very much looking forward to it because I am going to be able to see one of my favourite Australian hip-hop bands, Bliss n Eso, along with some other great acts: John Legend, The Getaway Plan, Hungry Kids of Hungary, Calling All Cars, Owl Eyes, and Andy Bull. It is going to be a fantastic event. I am looking forward to showing my support and I really encourage people in Perth to get down and enjoy it. Ending polio, as the campaign says, is the right thing to do, so do come down and support that fantastic event.

I am pleased to be part of a government that is doing its bit to eradicate polio in other countries. We directly fund polio eradication activities in endemic countries and ongoing vaccination efforts in other priority countries. For example, there is the Afghanistan Polio Eradication Initiative, there is a United Nations initiative in Burma and there are polio vaccinations in Pacific island countries. Globally, we are so near to eradicating polio and with just some more effort this important goal can be achieved. I hope the call is heeded at CHOGM.

The ending of the polio virus in Australia belies the devastating effect the virus has had on our country, and these effects are still felt today. Major epidemics of the virus happened in every decade from the 1930s through to the 1950s in Australia. It is estimated that over 70,000 people were affected, but that figure is very hard to quantify because of the social and physical
isolation and the stigma attached to the disease, poor health records and misdiagnosis. Tens of thousands of Australian families were affected. It knew no boundaries. Indeed, the former leader of the ALP and the current Australian Ambassador to the United States, the Hon. Kim Beazley, contracted polio at the age of six.

Some years ago the ABC TV program *Timeframe* pointed out a small piece of history which today, with CHOGM coming up, has resonance. Sharing the newspaper headlines with the 1954 polio epidemic was Queen Elizabeth II's first visit to Australia. Protecting her against the disease became almost an obsession. In Perth, where the epidemic was peaking, many precautions were taken to protect both our monarch and the large numbers of people who would be coming to see her. However, without anyone knowing it, the Queen had already been in direct contact with the disease. Betty Beazley, in Canberra with her husband, ALP frontbencher Kim Beazley Snr, was unaware that she was carrying the infection when she shook the Queen's hand. Fortunately, the Queen remained unscathed, and Mrs Beazley and her son Kim Jr made a complete recovery. The Beazley family story may have hit the headlines but there were also tens of thousands more Australians who were affected by this virus.

In my remarks this evening I would like to highlight that Post-Polio Health International have initiated 'We're Still Here!' week this week—Sunday 9 to Saturday 15 October—as part of Polio Awareness Month. Many people who experienced polio as a child still have symptoms and will recognise new symptoms in the years to come. Polio Australia calls this group of people the invisible group. As Polio Australia's President, Gillian Thomas, says:

Many polio survivors who have emerging symptoms tell me about the difficulty they have in obtaining correct diagnosis and treatment.… As time passes, an increasing number of previously 'stable' persons with a history of polio infection experience new symptoms. The large number of survivors who are now reporting these symptoms has transformed the problem from an individual predicament to a social concern.

Getting on with raising awareness of the need to do more to eradicate this virus globally so that not only people in Australia but the people of India, Pakistan, Nigeria and Afghanistan do not have to live with these devastating effects is a very important agenda. It is also important to keep raising awareness of the effects of postpolio syndrome here in Australia. I thank all the wonderful people who are doing this important work, and I look forward to seeing them at CHOGM.

**Polio Eradication**

Senator MOORE (Queensland) (20:08): I seek leave to speak for up to 20 minutes.

Leave granted.

Senator MOORE: I join with Senator Louise Pratt this evening in a discussion around the very important issues of polio in our world. This month of October—and we are running out of months for awareness of particular issues—is, amongst other things, Polio Awareness Month. I think it is really important that people in this place play a part in raising awareness of this condition. We are heading towards 24 October, which is World Polio Day. A number of activities will be going on so that we can share in learning more about this condition, working with people to finally eradicate it from this world.

Polio is a disease that is almost forgotten in Australia except by those whose families have been affected. In my family, one of my cousins was part of the large postwar epidemic in Queensland, on the Darling
Downs. We grew up knowing what had happened to her and learning more about polio. But, by and large, I think in Australia we mostly forget about this condition.

The word ‘polio’ is actually an abbreviation of poliomyelitis, or infantile paralysis. It is an awful disease and is rarely encountered in Australia today by our health professionals. It is a devastating disease that historically affected thousands of people across the globe. We know that people of all ages can contract polio, but it mainly attacks young children under the age of five. Many people experience symptoms that go undetected, but sometimes these people go on to become carriers of the disease. In contrast, the people we see and know as people who have suffered from polio display common symptoms such as fatigue, fever and headaches—all those things we associate with being unwell. In some cases, though, infections can lead to irreversible paralysis, and this often happens in the legs. The virus spreads through the central nervous system and destroys nerves responsible for our muscles. Without the activation of these muscles, the limbs become limp and almost useless. In extreme cases, paralysis can result in quadriplegia. So this is a very serious condition.

Many of the medical advances we now take for granted in the Western world were implemented out of the need to take action earlier in Australia’s history. We can be proud of the way Australia led the world in the 1950s and 1960s. In fact, simple things such as the way our intensive care wards operate had their origins in fighting polio. Before the 1950s, hospitals had little capacity for respiratory assistance for patients. The very first respiratory centre opened to treat severe cases of polio, leading to the first intensive care unit opening in Copenhagen in 1953, followed soon afterwards by Australia.

As we know, today we take intensive care units for granted. When we were attacked by this awful epidemic in the 1950s, one of the things that happened across communities was that the grass roots of medical philanthropy began. Local fundraising committees were formed to help care for those who had caught polio, mainly kids. We learnt more about rehabilitation programs to help survivors. Polio survivor support groups have been instrumental to this day, as we heard from Senator Pratt, in advocating for disability rights.

Clearly, this is a disease that has changed not only the lives of those affected and their families but also, to a large extent, our culture. We heard about the development of the marvellous miracle-engaging vaccine in the 1950s, which has reduced the number of polio cases in the Western world from hundreds of thousands a year to just handfuls—but all those handfuls are important to note. The last case of polio in Australia that we know of was in 2007, when an Australian student on holiday in Pakistan contracted the disease. With that identification, the raising of awareness of the illness in Australia continued. However, as we have heard, tens of thousands of Australians who survived polio must still manage the often debilitating effects—the legacy that polio has on their daily lives.

Polio clearly demonstrates that in an age of globalisation of air travel, there is absolutely nowhere that is completely safe. We have to be always vigilant on these contagious diseases. Leading up to World Polio Day, we can reflect on the successes of strategies employed to reduce the spread of the disease and to very, very nearly eradicate it. We can also reflect on the legacy of polio on Australian survivors and look forward to celebrating its ultimate eradication worldwide through the Global Polio Eradication Initiative. This initiative seeks to
make sure that no child ever again experiences the crippling and fatal effects of polio.

At the 41st World Health Assembly in 1998—a while ago now—a resolution passed by delegates from 160 member states launched the Global Polio Eradication Initiative. This initiative was spearheaded by the World Health Organisation, the wonderful Rotary International, the US Centres for Disease Control and Prevention and UNICEF. Since then the Global Poverty Project, in conjunction with Rotary International, UNICEF, the World Health Organisation and the wonderful Gates Foundation, have continued to work on the initiative and are calling on the Australian government to place polio eradication on the agenda for the upcoming Commonwealth Heads of Government Meeting. As we heard from Senator Pratt, there will be a major public engagement concert with a whole lot of bands—which, I have to admit, I had not heard of very well—getting together to entertain and raise awareness, and that is important. With a quarter of the world's leaders travelling to Perth for that meeting, Australia has a unique opportunity to focus global attention on this monumental and essential eradication opportunity.

Michael Sheldrick is the Australian campaign manager for the Global Poverty Project, an education and advocacy organisation focusing on ensuring that both the public and private sectors in OECD nations take action to contribute to the end of extreme poverty. Only last week he met with the Prime Minister, Julia Gillard, to discuss the Global Poverty Project's call to make the eradication of polio a priority issue. Mr Sheldrick was able to hand the Prime Minister a letter signed by over 700 Australians, outlining why Australia should step up its efforts to eradicate this disease. In his blog Michael said 'the eradication of polio—a cause which has been making considerable progress since Australian Rotarians commenced their global eradication push in 1979' must continue.

Collaboration globally between governments, local communities and NGOs has successfully reduced incidence of polio by 99 per cent—so near. That last one per cent globally is the most difficult and expensive to immunise. There are serious challenges facing health and aid workers: geographic isolation, armed conflict—because many of the nations which are still facing this awful disease are involved in horrific conflicts within their own nations as well—and ongoing cultural barriers. But the challenges are not there to stop us; they actually should encourage us to do better.

Currently the initiative faces a worldwide shortage of money of about US$590 million for the full implementation of its 2010-12 polio eradication and strategic plan. Failure to meet the financial requirements of eradication is really a failure to protect future generations from polio. In the next 40 years more than 10 million children will be paralysed if the world does not capitalise on its US$5 billion global investment in eradication.

In the last sitting week there was a special event hosted here in parliament by the Parliamentary Group on Population and Development. It had as its goal the end of polio. At the event were many members of parliament, diplomatic representatives from Commonwealth member states, and members of the Global Poverty Project, Rotary International, the Burnet Institute and UNICEF. The 2011 Australian of the Year, Simon McKeon, talked to us about how he felt the project should continue:

... we've dropped the ball in relation to going beyond smallpox and dealing with other conditions, particularly polio ... We've done 99 per cent of the work. We've actually done the majority of the hard work. It's just a matter of
getting serious for once, putting the final nail in the coffin of this condition and dealing with those last four countries in which it's still endemic.

Mr McKeon said:

I'm looking forward to a positive announcement by the Australian government which says very plainly that we're part of this global effort to rid the world of this disease once and for all

This year saw some impressive contributions made to the Global Polio Eradication Initiative. One that I think is well worth noting is that earlier this year the Crown Prince of Abu Dhabi, His Royal Highness Sheikh Mohammed, together with the Gates Foundation, committed a total of US$100 million to the global health partners the GAVI Alliance, WHO and UNICEF. The British Prime Minister, David Cameron, announced a matching grant a few days later. With this grant the UK doubled its contribution to the eradication of polio.

I need to pay particular attention to the wonderful work of Rotary International. Over the years, Rotary have donated more than $1.2 billion to the eradication of polio, and we need to keep working on this goal. Rotary across the world have been fighting polio for 23 years, and through their network of over 33,000 clubs in 200 countries they keep this item clearly on the agenda and mobilise a marvellous volunteer army. The volunteers are working at a local level providing support at clinics and mobilising communities for polio eradication actions and immunisations—not just fundraising but visitations to countries and working on the ground, and then bringing back their knowledge and talking about these issues in our local community.

There are so many reasons for Australia to support the Global Polio Eradication Initiative. The first is humanitarian, the second is economic and the third is because we can do it. All Commonwealth countries, including Australia, have a stake in the elimination of the disease, and our opportunity to end suffering has never been greater. A study published in the *Lancet* in 2007 showed that the cost of eradicating polio once and for all is billions of dollars less than the cost of merely keeping infection levels where they are now. The economic benefits over the next five years more than make up for the cost of eradication. A study in the journal *Vaccine* in December 2010, a cost-benefit analysis of this project entitled, catchingly, 'Economic analysis of the Global Polio Eradication Initiative', assessed investments made since the formation of the GPEI—the initiative—in 1988 and those predicted until 2035. It is estimated that the efforts will prevent more than eight million cases of polio in children, which saves so many dollars—you cannot even count the billions—in reduced treatment costs and productivity gains. The lead author of the study, Dr Tebbens of Kid Risk Inc., said:

The GPEI prevents devastating paralysis and death in children and also allows developing countries and the world to realize meaningful financial benefits.

We have had success. In 1994 the World Health Organisation was able to declare that the 36 countries that make up the region of the Americas were polio free. In 2000 the Western Pacific region, of 37 countries, was also declared polio free, and the incidence of polio has decreased so much since 1988, from an estimated 350,000 cases worldwide to just 1,600 reported cases in 2009.

One of the more fascinating issues is a story that has been documented on the web about the one case of polio that has been documented in India this year. I will go through that case. It is a little girl named Rukhsar. The Global Polio Eradication Initiative is striving to make sure that she is the last person to suffer from this condition in India. They talk about her family. She is the only one of her siblings not to be
vaccinated against polio, because she was a sickly little girl and was often ill before she contracted polio. Because she had been unwell, her parents were reluctant to vaccinate her. This made a major difference. Her mother said that she did not even know what polio was. They thought that the polio drops were for general good health. Her father said:

I made a mistake by not giving her polio drops. I would beg every parent to vaccinate their child and not make the same mistake.

Now Rukhsar is the face of the need to eradicate polio on our planet. She is actually developing quite well, according to the website. Her condition is improving, but the physiotherapists working with her do not know whether she will ever be able to walk freely again. In addition to the loss of control of her legs, Rukhsar's parents worry about her prospects for schooling and employment and about her future. This shows us what the impact is.

That leads on to what I want to discuss in the last few minutes. Senator Pratt mentioned that we have many polio survivors in our country, people who were children when they caught this disease, just like Rukhsar in India. They have lived on and now polio survivors in Australia form the largest single disability group identified in the country. Between the 1930s and 1960s, more than 40,000 Australians contracted paralytic polio. The Australian experience of polio has shown that, as people age, they may develop new symptoms known as the late effects of polio. The symptoms are not infectious, but they are serious, debilitating and painful.

One of the consequences of Australia's success in eradicating polio is that many survivors who experience late effects find it difficult to obtain accurate diagnosis and treatment from health professionals, who often confuse the symptoms with the effects of just getting older. These late effects of polio will become a serious health issue in Australia as our population ages. We need to be aware of this and to be in a position to provide effective services.

The need for Australia to intervene on the late effects of polio was recognised by the federal member for Ballarat, Catherine King, who moved on the 17 August 2009:

That the House recognises that:
… the needs of polio survivors have been largely neglected since vaccination against the disease became a reality, and as they age with chronic disabilities this neglect must be addressed as a matter of urgency.

We heard from Senator Pratt about how the President of Polio Australia, Gillian Thomas, herself a survivor of polio, said:

The onset of the late effects is a cruel blow to polio survivors who fought hard to overcome their original disability. As we now increasingly lose mobility, function and independence, knowledgeable health care professionals who understand our unique issues are critical to maintaining our quality of life and our ability to continue as valued, contributing members of society. This is why Polio Australia's strategies for nationally consistent information and education programs are so essential.

Gillian's story is a clear example of the personal impact of this disease. We need to listen to and learn from her and other survivors about what we can do, as a nation, to help her and others.

Simon Moss from the Global Poverty Project recounted a story about his mother. He said:

When I was a kid, I never understood why my Mum walked funny, and always needed to rest.

I remember walking to school with her once—I would have been eight or nine. I ran off ahead, and she shouted after me to stop. I didn't—I thought it was funny. She tried to run after me, but couldn't. She seemed really upset, so I came walking back.
He went on to tell a deeply moving story about how he related to his mother, a polio survivor. This is an important way to understand.

We have had amazing success with our medical science in developing responses to a whole range of diseases. We saw, through the eradication of smallpox and the development of vaccines, that we can make a real difference. In 1998 at that world health assembly, Professor Fenner, who was instrumental in the eradication of smallpox in Australia, said:

By eradicating smallpox we no longer have to vaccinate young children, and as someone who myself received the smallpox vaccine as a young boy, when we were travelling to Indonesia, I can attest that it was a pretty painful vaccination to receive.

But it made a difference.

What we can do, during this month when we are talking about raising awareness of poliomyelitis and polio across our community, is learn from the successes of the past. We have been able to eradicate smallpox from the globe. As we know, we have eradicated 99 per cent of polio. There are two challenges for us. The first is to deal with that last one per cent across the nations of the globe, to ensure that people do have vaccination and support so that we have no more cases like that of little Rukhsar in India. The second is to understand the number of people living in our community—our neighbours, our friends, our family—who have survived polio but are now suffering the ageing conditions linked to that. We have a double responsibility and we can make a real difference. It is so important during this month—not only at the CHOGM but through community activities across our country—for us to maintain this message and to ensure that we understand and are part of the solution to this world curse.

Member for Dobell

Senator FIERRAVANTI-WELLS (New South Wales) (20:28): Mr Acting Deputy President, I seek leave to speak for up to 20 minutes.

Leave granted.

Senator FIERRAVANTI-WELLS: I have previously raised matters regarding the member for Dobell. Tonight I would like to disclose further transgressions by Mr Thomson regarding his failure to disclose company directorships and association involvements in his register of interests. Despite his protestations of no wrongdoing, the damning evidence against Mr Thomson is mounting day by day.

Previously, I have detailed to the Senate the connection between Mr Thomson, Mr Williamson and Communigraphix. Both men denied that they had received credit cards on the account of Mr Gilleland, the owner of the printing company which has a $680,000 a year contract with the Health Services Union East Branch. Not surprisingly, we today see a report in the Herald Sun which demonstrates that, yet again, the member for Dobell has been caught out. The report says:

Senior NSW Police have been informed by American Express in the US that Mr Thomson and Health Services Union boss Michael Williamson were both supplied with credit cards by John Gilleland. Communigraphix, a graphic design business run by Mr Gilleland, has received hundreds of thousands of dollars each year to produce the HSU newsletter, Health Standard. Senior police sources say Mr Thomson—who would be forced to resign from Parliament if charged and ultimately found guilty—had use of the American Express card for two years. There is no doubt that this will place much more pressure on the Prime Minister's continued support of Mr Thomson. The use
of the American Express cards forms part of the New South Wales police investigation into allegations of financial wrongdoing by the two men. As the article correctly points out, Mr Thomson could face up to seven years jail if charged and found guilty of receiving secret commissions after police confirmed he received an American Express card from a union supplier and that under New South Wales law people found to have received an inducement to behave in a certain way may face criminal charges and a potential jail sentence of seven years.

 Interestingly, the article states that 'well placed sources claim he will argue that he had the card only briefly'. Two years, Mr Thomson, is not briefly. The Herald Sun 'believes New South Wales police have been told unofficially by American Express of the existence of the Gilliland cards and were awaiting documents'. Despite this, Mr Thomson maintains, 'I have done nothing wrong'. So much for the comprehensive statement he was going to make to parliament. Today's revelations well and truly up the ante for the Prime Minister and for Mr Thomson. The article sums it up:

The explosive developments will rock the Gillard government, which is relying on Mr Thomson fending off multiple allegations that he rorted union funds.

I now turn to other transgressions. As we in this place are all aware, members and senators are required to make certain disclosures on their register of interests. Following revelations about the payment by the New South Wales branch of the Australian Labor Party of Mr Thomson's legal fees, we suddenly saw Mr Thomson lodge an update of his statement. It states:

In May 2011, the Australian Labor Party New South Wales branch paid a sum of money in settlement of a legal matter to which I was party. There has been speculation that the amount paid was $40,000, $90,000 and $150,000. I understand the figure is as much as a quarter of a million dollars.

As at 21 September, ASIC records show that Mr Thomson has been the director of a company called Dads in Education Ltd since 19 February 2009. The registered office of this company is 300 Main Road, Cardiff, in New South Wales and its principal place of business is at 80 North Crescent, Wyoming, New South Wales. Both appear to be residential premises. The company was registered on 24 January 2006. There have been reports which have described this company as a charity, however, the company is not currently registered for GST nor, more importantly, is it entitled to receive tax deductible gifts. It is not an endorsed entity listed on the ATO website of deductible gift recipients, nor does it appear on the list of deductible gift recipient funds, authorities and institutions. Mr Thomson has failed to disclose his directorship of Dads in Education Ltd on his register of interests. Since becoming a director on 19 February 2009, Mr Thomson has not included this directorship in updates or in his declaration lodged on 20 October 2010.

On the last occasion, I spoke of Mr Thomson's involvement in Coastal Voice Community Group Inc. I would remind the Senate that this entity is currently in the process of cancellation by the Fair Trading Commissioner in New South Wales. We await the results and investigation by the Fair Trading Commissioner. The Fair Trading extract shows that Mr Thomson, despite his assertions to the contrary, still remains the public officer of Coastal Voice and has been so since 3 May 2006. In what appears to be his original declaration lodged on 11 March 2008, Mr Thomson did not disclose his public officer status of Coastal Voice, nor has he done so since either in any update or in the declarations lodged on 11 March 2008 or on that lodged on 20 March 2010.
My question is: what else has Mr Thomson failed to disclose? What other matters is the member for Dobell hiding? His conduct with Dads in Education and Coastal Voice demonstrates the pattern with Mr Thomson—non-disclosure of matters but, when challenged, he denies the allegations. Subsequently, they seem to be proved to be correct, thereby exposing Mr Thomson for being untruthful and deceptive in his conduct. This is contempt of this parliament. I call on Mr Thomson to make full and proper disclosure of all matters immediately.

The Australian Labor Party has bleated continuously about standards and accused the coalition in government of a range of issues regarding conduct and disclosure. Well, the shoe is now well and truly on the other foot. I say to the Prime Minister: stop protecting Mr Thomson and uphold the parliamentary standards that you continually allege should be followed. The Prime Minister is running around the country saying she has full confidence in the member for Dobell. This is a person not only has committed grave transgressions in relation to his union activities, which are currently under investigation by both the New South Wales and the Victorian police, but also has failed to disclose to the parliament material facts about his corporate connections.

All members and senators have obligations to the parliament. Mr Thomson has failed to meet those obligations. He must, at the very least, make a full disclosure to the parliament as he promised to do so. Mr Thomson may now claim to hide behind the investigations but matters pertinent to the corporate involvements I have detailed this evening should be properly disclosed. This is a serious matter. Day in, day out, the Prime Minister rants and raves in parliament about parliamentary standards. I say to the Prime Minister: practise what you preach. Don't just talk about parliamentary standards. Comply with the standards; uphold them and uphold those standards that you daily bark at your opponents. Prime Minister, I call on you to show some leadership. Have the backbone to ensure that Mr Thomson fully complies with his obligations.

I now turn to some local matters in Dobell. On Tuesday 20 September 2010, I detailed a number of issues concerning the member for Dobell, his behaviour and his lack of attention to his electorate of Dobell. Today, as American Express confirmed that a credit card was indeed issued to Craig Thomson, we are still waiting for Mr Thomson to make his promised statement to the other place. Mr Thomson's sense of entitlement and his arrogance continue still to be in evidence in his electorate of Dobell. I would like to detail some examples of this arrogance. Take the example of the official opening of the Mardi pipeline project in his electorate on 31 August. Due to the ongoing media and political pressure, Mr Thomson decided not to attend the event and declined the invitation. Given the importance of this project, there were indications the Prime Minister would attend but, alas, the scrutiny of the good burghers of Dobell would have been too much to endure. Thus it was left to Senator Don Farrell to represent the Prime Minister and the government at the official opening of the Mardi-Mangrove pipeline on 31 August. Also in attendance was the member for Robertson, Deborah O'Neill, the Mayor of Wyong and Councillor Chris Burke representing the Gosford City Council, and the former members for Dobell and Robertson, Ken Ticehurst and Jim Lloyd, who were strong advocates for the project.

A plaque that was especially ordered for the official opening correctly reflected that the project was opened by Senator the Hon. Don Farrell representing the Prime Minister and the government and the mayors of
Gosford and Wyong councils. The Wyong mayor at the time was Councillor Doug Eaton. I have a picture here of Ms O'Neill standing alongside Senator Farrell at the official opening with the media. The website of the Gosford/Wyong Councils' Water Authority carried news of the official opening complete with a photo of Senator Farrell, Ms O'Neill, Mayor Eaton and Councillor Burke. The article states:

History was made today with the first drops of water pumped along the $120 million Mardi-Mangrove Link, the Central Coast's largest infrastructure project in decades.

The system was officially turned on at a special ceremony at Mardi Dam by Wyong Shire Council Mayor Doug Eaton, Gosford City Councillor Chris Burke representing Gosford City Council Mayor Laurie Maher and Parliamentary Secretary for Sustainability and Urban Water Senator Don Farrell. The ceremony was also attended by current and past Gosford City and Wyong Shire councillors and local members of parliament.

Hence it was with a degree of surprise that I noted a media alert dated 7 October from Wyong and Gosford councils announcing the 'historic opening to celebrate the achievement of the Mardi-Mangrove Pipeline link' on Sunday 16 October. But, hold on, didn't we have a proper opening on 30 August—or is that the opening you have when you do not have an opening? The media alert also said that the ceremony would involve the plaque unveiling by Wyong Shire Mayor Bob Graham and Gosford City Councillor Chris Burke, representing Gosford City Mayor Laurie Maher, federal member for Shortland Jill Hall, federal member for Robertson Deborah O'Neill and, yes, in a surprise appearance, none other than the missing member for Dobell, Craig Thomson. Perhaps my campaign about who is representing the people of Dobell is having some effect, because we are now starting to see Mr Thomson making the odd guest appearance. Councillor Bob Graham recently replaced Councillor Eaton as Mayor of Wyong. I am informed that Mr Thomson and Councillor Graham have a close relationship and are in regular communication. I also understand that Councillor Graham has been strongly supporting Mr Thomson over the last few months since his problems hit the headlines.

This would be the second official opening of this project, and we are led to understand that Wyong Council has ordered a second plaque for this event that will also reflect the attendance of Ms O'Neill, Ms Hall and, of course, Mr Thomson and his friend Mayor Graham. The media alert of 7 October states that a media release will be issued in the week before the event. Presumably the cost of both openings and both plaques will be paid for by the ratepayers of Wyong and Gosford, all to pander to the egos of Mr Thomson, Councillor Graham and other local Labor luminaries. One would hope that the media release will explain the need for a second opening and justify the additional cost to ratepayers.

While Craig Thomson has spent the previous weeks fighting for his political survival and hiding out from the media and his constituents, the Central Coast Group Training Skills Centre, the jobs incubator, is still to see the promised hand-on-heart funding Mr Thomson and Minister Albanese promised in July 2010, on the eve of the election. After marketing this initiative as a key election commitment and as a further indication of the government's commitment to skills and training, Craig Thomson and the government have yet to deliver on this sacred campaign promise to CCGT. I would like to take some time to highlight inconsistencies in the process and actions and statements of both the government and the department upon which CCGT has reasonably relied. This grant was announced by Minister
Albanese and Craig Thomson at their request in the offices of CCGT Ltd in July last year—some 14 months ago. In April this year CCGT received correspondence from the Department of Employment, Education and Workplace Relations advising it that the grant was now available.

Incredibly the department twice extended its deadline for the application. The first was due to its own administrative error and that was until the close of business on 10 August. And then for reasons unknown, but which I think are now obvious, it was extended until the close of business on 22 August. I also note that the CCGT lodged their formal application with the department on time in accordance with the published closing date for applications. It would now appear, incredibly, that the department accepted an application from Wyong Council lodged by the new 22 August deadline but at 10.25 that night. It likely explains the reasons behind the second extension. This application, of some 10 pages, does not comply with the guidelines compared to the CCGT fully compliant 120-page application.

At this stage it would be useful to remind this place of Craig Thomson’s conduct in relation to CCGT. When announcing the funding for the skills centre in July last year, Mr Thomson said they were committed to moving the local economy forward by creating jobs and training opportunities for young people. Mr Thomson went on to say that this centre was the coast's most progressive employment initiative and that this pilot program would be keenly reviewed with a view to establish further skills centres. In fact, Mr Thomson was so supportive of the skills centre that he attempted to get a position for his ex-wife, Christa Thomson, at the centre and he used his parliamentary email to send her resume and contact number to the centre with a message that read: ‘Hi Alison, here is Christa's resume as discussed and you can give her a call on ... Regards Craig Thomson’. Then, when annoyed with Councillor Best over his criticism of the GP superclinic during a local radio interview, Mr Thomson turned around and threatened that funding commitment by sending Councillor Best, who is also the CEO of CCGT, a text message that read, 'Bye-bye job incubator.' This begs the question of whether this new funding application, which is supported by Labor councillors from Wyong Council in opposition to the application from CCGT, is Mr Thomson’s way of delivering his ‘Bye-bye job incubator’ threat to CCGT.

The Gillard government and the department have represented in numerous letters and correspondence that CCGT would receive the grant funding, and have induced CCGT to expend its scarce funds in preparing an application—funds that would otherwise be spent on assisting youth employment initiatives. To date this application process has cost the centre some $50,000 in company resources; this would have paid for two trainees to be employed at the centre. CCGT has for 14 months included delivery of the skills centre in its budgets and business plans, and its non-delivery has frustrated the core business and impeded its ability to provide jobs for young people on the Central Coast, where youth unemployment sits at around 32 per cent.

To date I have been unsuccessful in getting FOI access to documents about the jobs incubator. Whilst I appreciate that it involves third parties and that additional procedures are required, it is critical that the documents in relation to what has now become a sad and sorry saga as far as the youth of the Central Coast are concerned be put on the public record. Clear commitments were made to CCGT by Minister Albanese and Mr Thomson regarding the $2.7 million funding in relation to the jobs incubator. I have raised this matter in the media and I
have raised it in this place. The granting of access to these documents is in the general public interest and is most certainly in the interests of the people of the Central Coast in New South Wales.

I conclude with the observation that Mr Thomson and the Prime Minister have serious questions to answer. The Prime Minister's continued defence of Mr Thomson is now becoming untenable. Day by day the sad and sorry saga of deceitful conduct appears in the newspapers. At what point will this Prime Minister realise that her continued support of Mr Thomson is no longer tenable? I note that there is a website which has been set up called thomsonquitnow.com. Time will tell if Mr Thomson heeds this advice.

**Senate adjourned at 20:48**

**DOCUMENTS**

**Tabling**

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Aged Care Act—User Rights Amendment Principles 2011 (No. 3) [F2011L01991].


Australian Film, Television and Radio School Act—Select Legislative Instrument 2011 No. 180—Australian Film, Television and Radio School (Amendment and Repeal) Regulations 2011 (No. 1) [F2011L02032].

Australian Film, Television and Radio School Act and National Gallery Act—Select Legislative Instrument 2011 No. 179—Arts Legislation Redundant Regulations (Repeal) 2011 [F2011L02033].


Australian Prudential Regulation Authority Act—Australian Prudential Regulation Authority (Confidentiality) Determination No. 17 of 2011—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 [F2011L01995].

Broadcasting Services Act—Broadcasting Services (Events) Notice (No. 1) 2010 (Amendment No. 14 of 2011) [F2011L01936].

Civil Aviation Act—

Civil Aviation Regulations—Instruments Nos CASA—

409/11—Direction—number of cabin attendants [F2011L01981].

410/11—Instructions—use of RNAV (GNSS) approaches by RNP-capable aircraft [F2011L01987].

412/11—Direction—number of cabin attendants [F2011L01980].

414/11—Direction—number of cabin attendants [F2011L01983].

415/11—Direction—number of cabin attendants for Airbus A320 and Fokker F100 aircraft [F2011L02006].

419/11—Instructions—for approved use of P-RNAV procedures [F2011L01935].

Civil Aviation Safety Regulations—

Instruments Nos CASA—

EX108/11—Exemption—from holding an air traffic control licence [F2011L01998].


EX114/11—Exemption—A380 operations at certain aerodromes [F2011L01982].
Exemption – flight data recording [F2011L01999].

Revocation of Airworthiness Directives—Instruments Nos CASA ADCX—
019/11 [F2011L01979].
020/11 [F2011L02003].
021/11 [F2011L02040].

Commissioner of Taxation—Public Rulings—

Goods and Services Tax Ruling—
Addendum—GSTR 2000/19.


Taxation Determination TD 2011/23.

Copyright Act—Select Legislative Instrument 2011 No. 149—Copyright Amendment Regulations 2011 (No. 1) [F2011L01698].

Explanatory statement [in substitution for explanatory statement tabled with instrument on 23 August 2011].

Corporations Act—
Accounting Standards—
AASB 10—Consolidated Financial Statements [F2011L01941].
AASB 12—Disclosure of Interests in Other Entities [F2011L01938].
AASB 13—Fair Value Measurement [F2011L01940].
AASB 119—Employee Benefits [F2011L02039].
AASB 127—Separate Financial Statements [F2011L01990].
AASB 128—Investments in Associates and Joint Ventures [F2011L01939].
AASB 2011-7—Amendments to Australian Accounting Standards arising from the Consolidation and Joint Arrangements Standards [F2011L02017].
AASB 2011-8—Amendments to Australian Accounting Standards arising from AASB 13 [F2011L02038].
AASB 2011-9—Amendments to Australian Accounting Standards – Presentation of Items of Other Comprehensive Income [F2011L02041].

ASIC Class Orders—
[CO 11/942] [F2011L02008].
[CO 11/943] [F2011L02004].

Currency Act—Currency (Royal Australian Mint) Determination 2011 (No. 4) [F2011L02007].

Customs Act—
Select Legislative Instruments 2011 Nos—
172—Customs (Prohibited Exports) Amendment Regulations 2011 (No. 3) [F2011L02027].
173—Customs (Prohibited Imports) Amendment Regulations 2011 (No. 2) [F2011L01992].
Tariff Concession Order 0824732 [F2011L01944].

Tariff Concession Revocation Instruments—
120/2011 [F2011L01950].
121/2011 [F2011L01952].
122/2011 [F2011L01953].
123/2011 [F2011L01955].
125/2011 [F2011L01973].
130/2011 [F2011L01968].
133/2011 [F2011L01956].
137/2011 [F2011L01949].
139/2011 [F2011L01954].
140/2011 [F2011L01958].
142/2011 [F2011L01967].
143/2011 [F2011L01969].
Defence Act—Determinations under section 58B—Defence Determinations—
2011/40—Education and district allowance—amendment.
2011/41—Post indexes—amendment.
2011/42—Navy bonuses—amendment.
2011/43—Eligibility for increment advancement—amendment.
2011/44—Service residences—amendment.
2011/45—Leave, accommodation and education assistance—amendment.

Environment Protection and Biodiversity Conservation Act—Amendments of lists of—
Exempt native specimens—
EPBC303DC/SFS/2011/30 [F2011L01974].
Specimens taken to be suitable for live import—EPBC/s.303EC/SSLI/Amend/046 [F2011L01962].

Threatened species, dated 9 September 2011 [F2011L01993].


Federal Financial Relations Act—
Federal Financial Relations (General purpose financial assistance) Determination No. 30 (September 2011) [F2011L02001].


Financial Sector (Collection of Data) Act—Financial Sector (Collection of Data) (Reporting Standard) Determinations Nos—


Food Standards Australia New Zealand Act—

Health Insurance Act—

Health Insurance (Extended Medicare Safety Net) Amendment Determination 2011 (No. 3) [F2011L02021].

Income Tax Assessment Act 1997—
Select Legislative Instrument 2011 No. 182—Income Tax Assessment Amendment Regulations 2011 (No. 5) [F2011L02022].


Migration Act—

Migration Regulations—Instruments IMMI—
11/068—Skilled occupations, relevant assessing authorities, countries and points for general skilled migration visas and certain other visas [F2011L02011].
11/069—Skilled occupations, relevant assessing authorities and countries for general skilled migration visas [F2011L02010].

Motor Vehicle Standards Act—

Nation-building Funds Act—


National Health Act—Instruments Nos PB—
68 of 2011—Amendment determination—conditions [F2011L01986].
69 of 2011—National Health (Highly specialised drugs program for hospitals) Special Arrangement Amendment Instrument 2011 (No. 9) [F2011L01978].
70 of 2011—National Health (Chemotherapy Pharmaceuticals Access Program) Special Arrangement Amendment Instrument 2011 (No. 9) [F2011L02000].
71 of 2011—National Health (Listed drugs on F1 or F2) Amendment Determination 2011 (No. 10) [F2011L01994].
72 of 2011—Amendment determination—pharmaceutical benefits—early supply [F2011L01988].

Native Title Act—Native Title (Provision of Financial Assistance) Amendment Guidelines 2011 (No. 1) [F2011L02042].

Navigation Act—Marine Orders Nos—
8 of 2011—Marine Order 1, issue 2—Administration [F2011L02036].

Norfolk Island Act—Select Legislative Instrument 2011 No. 175—Norfolk Island Regulations 2011 [F2011L02028].


Personal Property Securities Act—Select Legislative Instrument 2011 No. 176—Personal Property Securities Amendment Regulations 2011 (No. 1) [F2011L02030].

Private Health Insurance Act—
Private Health Insurance (Benefit Requirements) Amendment Rules 2011 (No. 9) [F2011L01976].
Private Health Insurance (Complying Product) Amendment Rules 2011 (No. 5) [F2011L01984].

Public Lending Right Act—
Public Lending Right Scheme—Public Lending Right Scheme 1997 Determination 2011 (No. 1) [F2011L01937].
Revocation of Redundant Modification Instruments under the Public Lending Right Scheme 1997 [F2011L01985].
Renewable Energy (Electricity) Act—Select Legislative Instrument 2011 No. 177—Renewable Energy (Electricity) Amendment Regulations 2011 (No. 4) [F2011L02025].
Sydney Airport Curfew Act—Dispensation Report 06/11.
Telecommunications Act—Telecommunications (Approved Auditors and Auditing Requirements) Determination Variation 2011 (No. 1) [F2011L02024].
Governor-General’s Proclamations—Commencement of provisions of Acts
Combating the Financing of People Smuggling and Other Measures Act 2011—Items 1 to 11 of Schedule 1—1 November 2011 [F2011L02019].

Tabling

The following government documents were tabled:
Aged Care Commissioner—Report for 2010-11.
Australian Organ and Tissue Donation and Transplantation Authority—Report for 2010-11.
Customs Act 1901—Conduct of Customs officers [Managed deliveries]—Report for 2010-11.
Reserve Bank of Australia—Reports for 2010-11—Annual report.
Equity and diversity.
Payments System Board.
Sydney Airport Demand Management Act 1997—Quarterly report on the maximum movement limit for Sydney Airport for the period 1 April to 30 June 2011.

Departmental and Agency Appointments

The following documents were tabled pursuant to the order of the Senate of 24 June 2008, as amended:
Departmental and agency appointments and vacancies—Budget (Supplementary) estimates—Letters of advice—Office for Sports.
Regional Australia, Regional Development and Local Government portfolio.
Treasurer portfolio.

Departmental and Agency Grants

The following documents were tabled pursuant to the order of the Senate of 24 June 2008:
Departmental and agency grants—Budget (Supplementary) estimates—Letters of advice—Department of Education, Employment and Workplace Relations.
Office for Sports.
Treasurer portfolio.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Defence

(Question Nos 500 to 502)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 21 March 2011:

For each portfolio/agency within the responsibility of the Minister/Parliamentary Secretary:

1. How many reviews are currently being undertaken in the portfolio/agency or affecting the portfolio/agency.
2. What was the commencement date of each review.
3. When will each review conclude.
4. (a) Which reviews were completed in the period 1 July to 31 December 2010; and
   (b) When will the Government respond to each of these reviews.
5. As at 31 December 2010, what was the cost of each of these reviews.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

1. Twenty four.
2. (2) to (3) and (5) The following (Table A) reviews are currently being undertaken by Defence or contributed to by Defence.

Table A

<table>
<thead>
<tr>
<th>No.</th>
<th>Review</th>
<th>Commenced</th>
<th>Concluded</th>
<th>Submission to Government</th>
<th>Cost as at 17 August 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Review of the Management of Incidents and Complaints</td>
<td>11 April 2011</td>
<td>31 August 2011</td>
<td>Government will respond once the reviews into aspects of Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$0.023m</td>
</tr>
<tr>
<td>2</td>
<td>Review of Personal Conduct of ADF Personnel</td>
<td>11 April 2011</td>
<td>30 August 2011</td>
<td></td>
<td>$0.125m</td>
</tr>
<tr>
<td>3</td>
<td>Review of Use of Alcohol in the ADF</td>
<td>11 April 2011</td>
<td>31 July 2011</td>
<td></td>
<td>$0.250m</td>
</tr>
<tr>
<td>4</td>
<td>Review of APS Women's Leadership Pathways</td>
<td>11 April 2011</td>
<td>31 July 2011</td>
<td>Government will respond once the reviews into aspects of Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$0.210m</td>
</tr>
<tr>
<td>5</td>
<td>Review of the Use of Social Media in Defence</td>
<td>11 April 2011</td>
<td>30 July 2011</td>
<td></td>
<td>$0.300m</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
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</tr>
<tr>
<td>6.</td>
<td>External to Defence – Review of Allegations of Sexual and other Abuse in Defence (DLA Piper)</td>
<td>April 2011</td>
<td>Due end of September 2011</td>
<td>Government will respond once the reviews into aspects of Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$658,733.94 (GST inclusive)</td>
</tr>
<tr>
<td>7.</td>
<td>External to Defence – Review of the Treatment of Women at ADFA and the ADF</td>
<td>April 2011</td>
<td>Expected reports: - Phase 1 no later than Dec 2011. - Phase 2 Early 2012</td>
<td></td>
<td>$4.7m GST exclusive (AHRC budget estimate. Any underspend will be returned to Defence)</td>
</tr>
<tr>
<td>8.</td>
<td>Independent Review of the Intelligence Community – Whole of Government review led by Prime Minister and Cabinet. Defence contribution only</td>
<td>December 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>10.</td>
<td>Review of Defence Recognised Supplier Scheme (DRSS)</td>
<td>November 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>11.</td>
<td>Review of Unsolicited Promotional Product Offer Scheme</td>
<td>November 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
</tr>
<tr>
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</tr>
<tr>
<td>13.</td>
<td>ADF Posture Review</td>
<td>22 June 2011</td>
<td>March 2012</td>
<td>Government will respond once it has been received and considered</td>
<td>The full cost will be known after it completes its final report to the Government. The costs of the review will be met within Defence's overall operating budget.</td>
</tr>
<tr>
<td>14.</td>
<td>The Commonwealth and Defence Force Ombudsman Joint review with Defence into the delays in the Redress of Grievance process at the Service Chief level</td>
<td>November 2009</td>
<td>Defence Force Ombudsman closed this review August 2011 without finalising a report.</td>
<td>No report to be made.</td>
<td>Nil</td>
</tr>
<tr>
<td>15.</td>
<td>Ombudsman own motion investigation into the Factors Influencing Decisions about Conditions of Service</td>
<td>August 2009</td>
<td>Informal advice from Defence Force Ombudsman is that this review is complete but that no report will be made.</td>
<td>No report to be made.</td>
<td>Nil</td>
</tr>
<tr>
<td>16.</td>
<td>Domain name System Security extensions (DNSSEC) Review – Whole of Government review led by the Department of Broadband, Communications and the digital Economy</td>
<td>August 2010</td>
<td>Continuing</td>
<td>Provided by Department of Broadband, Communications and Digital Economy</td>
<td>Nil</td>
</tr>
<tr>
<td>17.</td>
<td>Collins Class Submarine Sustainment Business-Benchmarking Study (Coles Review)</td>
<td>August 2010</td>
<td>Final report due March 2012</td>
<td>For consideration by DOFD, Defence and ASC. For info to MINDEF and MINDM.</td>
<td>Approx $420,000</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
</tr>
<tr>
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<tr>
<td>18.</td>
<td>Brady Review into the Disposition of Defence’s Non-Operational Overseas Personnel and positions.</td>
<td>September 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>$114,000 (GST inclusive)</td>
</tr>
<tr>
<td>20.</td>
<td>Shared Services Review</td>
<td>May 2011</td>
<td>End of July 2011</td>
<td>Government will respond once it has been considered</td>
<td>$2,442m</td>
</tr>
<tr>
<td>21.</td>
<td>SSCFADT Inquiry into the Procurement Procedures for Items Identified in the Defence White Paper</td>
<td>February 2011</td>
<td>Continuing</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Inspector General of Intelligence and Security investigation into the Defence Security Authority security vetting process.</td>
<td>Referred to IGIS on Monday 30th May 2011</td>
<td>Continuing</td>
<td>Due to August/September 2011</td>
<td>Approx $40,000</td>
</tr>
</tbody>
</table>

(4) (a) to (b) and (5) The following (Table B) reviews were completed between 1 July 2010 and 30 June 2011.
<table>
<thead>
<tr>
<th>No.</th>
<th>Review</th>
<th>Commenced</th>
<th>Concluded</th>
<th>Government response date</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Review of Policy Framework for Clothing Procurement (Lewincamp Review)</td>
<td>February 2010</td>
<td>September 2010</td>
<td>November 2010</td>
<td>$87,000</td>
</tr>
<tr>
<td>2.</td>
<td>Review of the Reporting of Defects with ADF Personal Equipment and Combat Clothing (Whalan Review)</td>
<td>June 2010</td>
<td>September 2010</td>
<td>November 2010</td>
<td>$74,800</td>
</tr>
</tbody>
</table>

**Health**

(Question No. 541)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 25 March 2011:

1. What was the involvement of the Treasurer or department in the new health proposal, including:
   (a) the process behind how this new health agreement came about; and
   (b) at what time and on what date the decision was made to overhaul the first National Health and Hospital Plan.

2. Was the Treasurer or department:
   (a) made aware of what was wrong with the National Health and Hospital Network; and
   (b) advised that it needed to be scrapped.

3. When were the Treasurer or department first made aware that a new health proposal was being considered.

4. Who advised the Treasurer or department that a new health proposal was being considered.

5. When were the Treasurer or department first asked to provide advice.

6. In relation to any advice sought from the Treasurer or department:
   (a) what was the nature of the advice sought;
   (b) when was the information sought; and
(c) when was the advice provided.

(7) Did the Treasurer or department provide costings advice to the Prime Minister, the Department of the Prime Minister and Cabinet or any other department in relation to the new health proposal; if so:
   (a) when was any advice in relation to costings provided;
   (b) to whom or to which department was it provided; and
   (c) when was the advice provided.

(8) How long was the Treasurer or department given to cost the new health deal and was there agreement on the costs.

(9) Given that Labor’s new health proposal only relates to ‘growth’, not existing hospital costs and the Commonwealth will fund up to 45 per cent of the growth in hospital costs in 2014 15 and up to 50 per cent in 2017 18, which is estimated to cost $16.4 billion, and noting that all of the promised increase in Commonwealth funding is beyond the forward estimates:
   (a) where is the money coming from;
   (b) how was the figure of $16.4 billion arrived at;
   (c) what assumptions have been used;
   (d) can a copy of all costings documents, including supporting documents, be provided;
   (e) how accurate are costings for items beyond the forward estimates;
   (f) what assurance can be given as to the accuracy of the health costings; and
   (g) what guarantees do the taxpayers of Australia have that the costings will not change.

(10) In relation to the estimated cost of $16.4 billion, how will this be funded.

(11) Given that the Government can commit to the spending now, can a list be provided detailing offsetting savings; if not, will the proposal be funded from general revenue.

(12) Is the Treasurer or department aware of why the National Funding Authority was dumped.

(13) Is the Treasurer or department aware of the parameters of the National Funding Pool.

(14) Who was responsible for the decision to introduce the National Funding Pool, and in relation to this:
   (a) what role did the Treasurer or department have in relation to the introduction of the National Funding Pool;
   (b) when was the decision made; and
   (c) if the decision was made by another Minister or department, when was the Treasurer or his department made aware of its proposed introduction.

(15) What is the difference between the dumped National Funding Authority and the National Funding Pool, and can an outline of the parameters of each be provided, including:
   (a) management structures;
   (b) responsibilities;
   (c) accountability;
   (d) funding;
   (e) reporting framework;
   (f) Commonwealth legislative requirements for the establishment of each body;
   (g) state and territory legislative requirements for the establishment of each body; and
   (h) Commonwealth and state and territory ‘accounts’.
(16) Did the Treasurer or department have any input or role in relation to the drafting of the Heads of Agreement – National Health Reform document; if so, can details be provided.

(17) Given that, in the health and ageing incoming brief to government, there is a reference to the Health Expenditure Working Group which has been established under the deputy heads of Treasury structure to quantify the costs of services agreed for transfer to government under the agreement (the first agreement) which will inform the amount of goods and services tax (GST) revenue to be withheld in the Commonwealth forward estimates for dedication to health and hospitals:

(a) did the department prepare any advice on the amount of GST required;
(b) was it quantified; if so, what was the amount;
(c) was it the case that the amount of GST to be recovered under the 30 per cent clawback would not have been sufficient to cover the health and hospitals costs that were going to be needed over the forward estimates; and
(d) if this is the case, was the dumping of the 30 per cent GST clawback a hollow decision.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The detail of the National Health and Hospitals Network Agreement was the subject of ongoing consultation between the Commonwealth and the States during late 2010 and early 2011. The new features of the new agreement were developed in the weeks prior to the 13 February COAG meeting. Treasury, along with the Department of Health and Ageing and the Department of Finance and Deregulation, supported the Department of the Prime Minister and Cabinet (PM&C) in preparing the Heads of Agreement on National Health Reform and supported the negotiations that led to states’ agreement. All states and territories (including Western Australia) have signed the Heads of Agreement.

Treasury provided advice to Government throughout the process in the lead up to the Heads of Agreement being signed as they would on any area of policy under consideration by Government.

The National Health Reform Agreement has now been signed by all states and territories as announced on 2 August 2011. The new agreement will provide better access to services, improved local accountability and transparency, greater responsiveness to local communities and a stronger financial basis for the health system into the future.

Additional funding under the new agreement will meet the costs of around 2.0 million more admitted patient episodes of care, 2.9 million more services in emergency departments, and 19 million more outpatient consultations based on current patterns of hospital expenditure, than the Commonwealth would have funded under the previous health care agreement.

Foreign Affairs
(Question No. 545)

Senator Johnston asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 March 2011:

(1) How many ambassadors/high commissioners are fluent in the official language of the country in which they are currently posted.

(2) How many departmental officials are considered fluent in: (a) Bahasa Indonesia or other Indonesian dialects; (b) Japanese; (c) Mandarin; (d) Hindi; (e) Korean; (f) Arabic; (g) French; and (h) German.
**Senator Conroy:** The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

(1) 31 ambassadors/high commissioners are fluent in the official language of the country to which they are currently posted where English is not the official language.

(2) The following table shows the number of departmental officials fluent in the particular language:

<table>
<thead>
<tr>
<th>Language</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indonesian</td>
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<td>Japanese</td>
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<td>Mandarin</td>
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<td>German</td>
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</table>

**Foreign Affairs: Overseas Delegations**

(Question No. 547)

**Senator Johnston** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 March 2011:

For each calendar year, from 2005 to 2010, how many overseas delegations were sponsored by the department, including:

(a) which countries the delegations were from;

(b) the names and positions of each delegation member; and

(c) the total cost to the Government of these delegations.

**Senator Conroy:** The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

To provide the detailed information sought on overseas delegation visits would entail a significant diversion of resources requiring input from all departments and agencies and all overseas posts. I do not consider the additional work can be justified.

**Papua New Guinea**

(Question No. 556)

**Senator Johnston** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 25 March 2011:

(1) How many cases of alleged corruption in Papua New Guinea: (a) are currently being investigated; and (b) were investigated in each calendar year, from 2005 to 2010, including how many of these cases resulted in: (i) dismissal, (ii) a fine, (iii) demotion, and (iv) any other penalty being handed down.

(2) For each calendar year, from 2005 to 2010, what sum of money was lost to corruption in Papua New Guinea.

**Senator Conroy:** The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

It is not possible to provide authoritative and reliable information in response to these questions.

I am advised that PNG authorities do not aggregate data on cases of alleged corruption. Therefore, there is no accurate information available from PNG to answer these questions. International
organisations and their affiliates, such as Transparency International and Transparency International PNG Inc, provide general assessments of corruption related activity in PNG. However, detailed case information is not available.

In March 2010, the PNG Government tabled an 800-page Commission of Inquiry report on the management of public monies by the PNG Department of Finance. The Commission of Inquiry concluded that statutory processes had been grossly abused allowing improper claims for payment to be made on the State, and excessive payouts to be legitimised, over the investigation period of 2000 to 2006. However, corruption covers a range of offences wider than the misuse of public money covered in the Commission of Inquiry report.

**Foreign Affairs: Staffing**

(Question No. 616)

**Senator Siewert** asked the Minister representing the Minister for Foreign Affairs, upon notice, on 27 April 2011:

With reference to the department and the agencies within the Minister's portfolio:

1. What is the total number of staff currently employed.
2. What is the total number of staff with a disability currently employed.
3. What policies or programs are in place to encourage the recruitment of people with a disability.
4. What retention strategies are in place for people with a disability.
5. What career pathways or plans are on offer for people with a disability; if none, why.
6. Are there any specific targets for recruitment and retention; if not, why not.
7. What policies, programs or services are there to support staff with a disability.
8. Can details be provided of any policies, programs, services or plans currently under development within the department and its agencies, concerning the employment of people with a disability.

**Senator Conroy:** The Minister for Trade has provided the following answer to the honourable senator's question:

**DFAT**

1. As at 31 March 2011 DFAT had 2,493 A-Based employees and 1625 Locally Engaged Staff (LES).
2. As at 31 March 2011 DFAT had 29 employees who had self identified as having a disability (LES are not asked to report on their disability status).
3. DFAT’s Disability Action Strategy 2011 – 2015 (DAS) stipulates that all job advertisements are to encourage people with disability to apply for positions in the department; and that recruitment information is to be made available in disability-friendly formats. Similarly, all recruitment processes are to cater for applicants with disability by including reasonable adjustments. When a candidate identifies as requiring reasonable adjustment through the recruitment process, a further form is completed and adjustments are made in accordance with the request made (e.g. additional time for the face-to-face interview).
4. Under the DAS, retention strategies include: making reasonable adjustments where appropriate; engaging the services of a disability service provider to assist with adjustments where required; providing training to supervisors and managers to assist in working with people with disability; and establishing a Disability Employees Network to assist with the development of policies that assist in the retention of people with disabilities.
5. All staff are required to have an annual performance management plan, reviewable every six months, that includes a skills/training plan. Under the DAS, the department is also engaging an external
consultant to assist with identifying training and development opportunities for employees with disability. The Department is also actively encouraging mentoring for employees with disability.

(6) There are no specific targets for recruitment and retention as the department's priority is to develop policies and programs that enable DFAT to be an employer of choice for employees with disability. This is much broader than simple recruitment or retention targets. It is about developing a workplace culture in which employees with disability are treated with respect and there is no discrimination.

(7) The DAS outlines in detail the policies, programs and services available to support staff with a disability. In addition, all staff with disability have access to the Workplace Diversity Unit which provides guidance and advice to employees with disability and their supervisors and teams. Training is provided as required. Disability services providers are engaged as necessary to assist the department in managing people with disability.

(8) DFAT is preparing to launch, as a pilot program in the Australian Public Service, a Disability Cadetship program aimed at tertiary and non tertiary studies in the second half of 2011. The department will also be establishing a Disability Employees Network and including a representative of the Network on the department's peak consultative body, the Workplace Relations Committee (WRC).

**AusAID**

(1) 1183

(2) 12

(3) AusAID's Workforce Plan commits to a diverse workplace. The AusAID Disability Action Plan also includes measures to promote job opportunities to people with a disability.

AusAID commits to advertise all opportunities electronically, and provide selection documentation in a range of accessible formats on request. Recruitment documentation also makes reasonable adjustment available if needed to assist in the recruitment process. AusAID is identified as an Equal Employment Opportunity employer.

(4) In addition to agency wide retention strategies, AusAID: provides reasonable adjustments for employees with disability, in Australia and overseas. AusAID also provides information to managers and employees on principles of reasonable adjustment so that staff are aware of responsibilities and opportunities. AusAID accommodates access and equity needs for employees with a disability when attending training and training materials are made available in alternative formats when required. AusAID consults with employees with disability on the purchase of goods or services that directly impact on their ability to do their job.

(5) Career pathway development and planning is undertaken through the agency's performance management system. All staff are required to participate in performance assessment and planning.

(6) AusAID's Workforce Plan and Disability Action Plan emphasises the importance of a diverse background. The Workforce Plan acknowledges the need for AusAID to diversity staff, with a particular focus on employees with a disability.

(7) The agency Disability Action Plan provides information on services to support staff with a disability. In addition, AusAID joined the Australian Network on Disability in March 2011 to access a greater range of services and advice to support staff.

(8) AusAID will revise the Disability Action Plan in 2011, drawing on expertise from staff, the Australian Network on Disability and the Australian Public Service Commission.

**ACIAR**

(1) As at 31 March 2011 ACIAR had 65 staff (47 A-based employees and 18 overseas staff).

(2) As at 31 March 2011 ACIAR had 2 A-based employees who had identified as having a disability. Overseas staff are not asked to report on their disability status.
(3) ACIAR has a Workplace Diversity Program which links to our recruitment policy and procedure to ensure that equal opportunity is provided to all applicants.

(4) ACIAR's Workplace Diversity Program includes retention strategies such as ensuring that any employee requiring support to perform their duties has access to reasonable adjustment and assistive technology and training and development is available equally to all ACIAR staff. ACIAR also has a policy of offering flexible working arrangements to all staff, each case is assessed based on individual and organisation requirements.

(5) Career pathways and planning is undertaken utilising the agency's Individual Development and Planning Evaluation Scheme. All staff in the agency are required to participate in development planning and evaluation.

(6) No. As a small agency, we provide equal opportunity in all aspects of employment through our Workplace Diversity Program.

(7) The Workplace Diversity Program outlines the policy and services available to support staff with a disability. Our building and working environment is fully compliant.

(8) ACIAR will revise the Workplace Diversity Program in 2011 and will consult with staff, the Australian Public Service Commission and the Portfolio Networking Group.

**Immigration Detention Centres**

(Question No. 674)

Senator Abetz asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 30 May 2011:

1. Since 1 January 2008, for each centre:
   a) what incidents of violence have there been;
   b) on what date did they occur; and
   c) what injuries were suffered by:
      i) detention centre staff, and
      ii) other detainees

2. Were the perpetrators of the violence identified; if so what action, if any was taken against them

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

1. (a) From 1 January 2008 to 14 June 2011 the following incidents have been reported:
   596 incidents of allegations of assault or damage to facilities involving individual detainees across the immigration detention network;
   • 576 minor disturbances;
   • 102 major disturbances; and
   • 677 incidents of alleged aggressive/abusive behaviour reported that may have also included violent behaviour.
   (c) The 596 incidents of alleged assault or damage to facilities involving individual detainees across the immigration detention network resulted in:
      i) 45 incidents of injury to staff; and
      ii) 196 injuries to clients.

   The majority of these incidents were minor in nature and the injury was treated on site. The majority of alleged assault incidents involved physical altercations between clients.
(2) In the period 1 January 2008 to 14 June 2011, police were notified 242 times in relation to incidents of alleged assault or damage to facilities. Police are notified when a victim of an alleged assault requests the police to be notified and is prepared to make a statement. Where there are allegations of assault or major disturbances of a critical nature, the police are called out to investigate the matter irrespective of the victim's preparedness to provide a statement.

Serco has a behavioural management policy in place to guide the management of behavioural issues that arise within immigration detention environments. The policy focuses on preventing behavioural issues through fostering a positive physical and social environment and diffusing issues that do arise before they escalate. All people in immigration detention are briefed on the policy around anti-social behaviour during the induction process and are advised about how they can raise issues or make a complaint to the detention service provider, the department, Commonwealth Ombudsman or Australian Human Rights Commission.

Where behavioural issues are observed or a complaint is made, Serco considers an appropriate intervention or response to address the particular circumstances. The type of intervention or response that may be implemented includes, but is not limited to:

- group or individual counselling on the consequences of anti-social behaviour;
- establishment of a behavioural management agreement;
- transfer of a client to a different area of a facility or to another facility;
- withdrawal of access to amenities;
- curfews or restrictions on access to specific areas; and/or
- referral to third party for investigation (such as police or child welfare agencies).

Actions taken by Serco in relation to these incidents are recorded in multiple systems depending upon the nature of the incident. The very detailed information sought in the question is not readily available in consolidated form and it would be a major task to collect and assemble it. In order to report on the outcome for each incident, the department would need to manually interrogate these systems. The department estimates that this would take a departmental officer an average of 30 minutes for each incident. This equates to approximately 58 working days.

Recent amendments to the Migration Act may prevent people who have been involved in criminal, violent or destructive behaviour, from being allowed to apply for a permanent protection visa. These include provision for a person to fail the character test if convicted of an offence while in immigration detention, which will, in turn, affect a client's visa outcome. Relevantly, if clients are charged with an offence and are subsequently convicted, they will be considered against the character provision and may fail the character test.

The following tables summarise the 596 reported incidents involving allegations of assault and/or damage to Commonwealth property where the people involved were identified for each centre for the period 1 January 2008 to 14 June 2011. Incidents of abusive or aggressive behaviour and minor disturbances are excluded from these tables due to the difficulty in establishing actual violent behaviour and the identity of the people involved.

<table>
<thead>
<tr>
<th>Brisbane ITA</th>
<th>Number of reported incidents</th>
<th>Number of reported injuries to clients</th>
<th>Number of reported injuries to staff</th>
<th>Number of staff involved in incidents of violence</th>
<th>Number of times police were notified</th>
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<tbody>
<tr>
<td>9</td>
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QUESTIONS ON NOTICE
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<th>Number of staff involved in incidents of violence</th>
<th>Number of times police were notified</th>
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Melbourne ITA

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North West Point Immigration Facility

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<th>Number of staff involved in incidents of violence</th>
<th>Number of times police were notified</th>
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<tr>
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Northern IDC

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<th>Number of times police were notified</th>
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Perth IDC

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<th>Number of times police were notified</th>
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Perth IRH

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Phosphate Hill APOD

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Port Augusta IRH

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</tr>
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Scherger IDC

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Sydney IRH

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Villawood IDC

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Defence

(Question Nos 695 to 696)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 15 June 2011:

1. Why was the decision made to purchase both a multi-cam design from Crye and a licence to manufacture the garment.

2. What opportunities did the Defence Materiel Organisation (DMO) provide for Australian companies to bid for this design work.

3. Were Australian companies deemed as not being capable of designing this camouflage pattern.

4. Where will the fabric for the multi-cams be manufactured in Australia; if not in Australia, where will it be manufactured.

5. Where will the uniforms be manufactured.

6. (a) What will be/was the tender process to manufacture the uniforms;

   (b) what was the process in DMO deciding to purchase the licences to manufacture the four Crye garments;

   (c) was this expertise not available in Australia;

   (d) what was the cost of purchasing these licences;

   (e) what cost savings were realised in deciding to proceed with this particular contract; and

   (f) how can the Government reconcile that Australian manufacturers were ready and able to supply world's best practice in the design of this camouflage pattern and provide a significant sample for $70 000 compared to the $7.8 million that has been spent by the Government.

7. What technical advice and independent expertise was undertaken by the Government before committing to this $7.8 million expenditure.
How is this procurement on a value for money basis going to pay for itself many times over into the future, as stated by Dr Gumley on 30 May 2011.

(9) How many options were put to Government in relation to this procurement and what were they.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) The initial requirement for an enhanced uniform and a new camouflage pattern arose when troops in Afghanistan identified the need for a greater level of concealment and force protection across the range of different terrains in Afghanistan—urban, desert and green—while also providing improved ergonomics and comfort. A user assessment of alternative uniforms was conducted by the Special Operations Task Group in Afghanistan in 2009. The trial assessed Multicam as the superior uniform on operations. Based on the user assessment the Chief of Army made the decision to issue Crye Precision combat uniforms in the Multicam pattern to all soldiers operating "outside the wire" in Afghanistan in October 2010.

The decision to purchase the licenses to the Crye Precision garments and to develop an Australian version of the Multicam pattern was made to enable the Crye garments to be manufactured in Australia with the ability to have uniforms and personal equipment manufactured in an Australian unique version of the Multicam pattern without sourcing all the fabric from current Multicam fabric manufacturers in the United States.

(2) The intellectual property associated with the uniforms and the Multicam pattern are owned by Crye Precision LLC. Therefore Defence dealt directly with them as the owners of the intellectual property.

(3) No. The intellectual property associated with the Multicam pattern is owned by Crye Precision LLC which means that Australian companies were not able to design the Multicam pattern without infringing Crye Precision LLC's intellectual property.

(4) and (5) In accordance with Government policy the fabric and the uniforms will be manufactured in Australia by companies selected through a tender process. The location of those companies will not be known until the tender process is complete.

(6) 
(a) The manufacture of the uniforms will be determined as a result of the release of a request for tender using the rights and technical data that have been procured from Crye Precision LLC.

(b) See answers to questions 1 and 2.

(c) The Special Operations Task Group did evaluate other uniforms and concluded that the Crye Precision uniforms were superior.

(d) US$4.7million.

(e) This urgent operational requirement was identified by troops on operation in Afghanistan who required a uniform that could be used across the range of terrains experienced on a typical patrol. The decision to change from the current range of combat uniforms to the Crye uniforms in the Multicam pattern was not driven by a requirement to realise a cost saving but to satisfy an operational requirement.

(f) The decision to purchase a license means the uniforms can be made in Australia under the licenses. Multicam is a proprietary camouflage pattern owned by Crye Precision LLC. No Australian company has the intellectual property rights to manufacture this proven pattern and therefore it would not be possible for an Australian company to produce this camouflage pattern without infringing on Crye Precision's intellectual property. If an Australian company was to produce something that was sufficiently different that it would no longer be considered Multicam then it would be by its very nature a developmental product that would require significant trialling and testing before it could be fielded.
The user assessment conducted by the Special Operations Task Group was managed by Defence Science and Technology Organisation personnel deployed to the Middle East Area of Operations with assistance provided by Defence Science and Technology Organisation personnel based in Australia. Land Engineering Agency staff provided technical assistance during the tender evaluation and were present throughout contract negotiations.

In addition to the user evaluation conducted by the Special Operations Task Group, both the US Army and the UK Ministry of Defence has reached the same conclusion; that the Multicam pattern is a superior camouflage pattern for use across a range of environments including Afghanistan. The US Army is now issuing Multicam uniforms to soldiers deploying to Afghanistan whilst the UK Ministry of Defence has a version of the Multicam pattern which is being issued to troops deploying to Afghanistan and which has been selected to replace the current UK camouflage pattern.

The purchase of the intellectual property from Crye Precision LLC will make this technology, which is in wide use with both the US and UK military, available to Australian manufacturers rather than limiting Defence to a US supplier. As Defence has purchased the rights to modify the garments and the camouflage pattern it will also have the ability to ensure the utility of both the garments and the camouflage pattern beyond the current operations in Afghanistan and across the full suite of disruptive pattern clothing and personal equipment.

The Government was briefed on the Special Operations Task Group user assessment. There were six options in the user assessment. These were the in-service Disruptive Pattern Camouflage Uniform, the in-service Disruptive Pattern Desert Uniform, a uniform from another supplier in the Disruptive Pattern Desert Print and three uniforms from three different suppliers all in the Multicam pattern.

**Foreign Affairs: Websites**

*(Question No. 725)*

Senator Abetz asked the Minister representing the Minister for Foreign Affairs, upon notice, on 4 July 2011:

1. What language is used for local websites in the various posts that Australia has around the world, for example, is the website that Greek people access in Greece in English or Greek.
2. Can advice be provided in relation to all international websites at Australia's various posts as to what language is used.

Senator Conroy: The Minister for Foreign Affairs has provided the following answer to the honourable senator's question:

1. There are currently 89 post websites hosted and maintained by the Department of Foreign Affairs and Trade (DFAT) at its posts overseas (http://www.<country>-embassy.gov.au). Of these, 54 are in English only, 30 are dual language (a version in English and a translated version in the local language/s) and five are in the local language only.

   A list of the primary languages currently used on DFAT-managed post websites is at Attachment A. A list of posts with a small amount of bilingual content is at Attachment B.

   In addition to the lists at Attachment A and Attachment B, Attachment C lists additional websites maintained at posts primarily aimed at reaching local audiences for event-specific or public diplomacy purposes.

   **Attachment A**
   **Post websites.**

<table>
<thead>
<tr>
<th>Post location (language/s)</th>
<th>Post location (language/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abu Dhabi (English/Arabic)</td>
<td>Abuja (English)</td>
</tr>
</tbody>
</table>

   **Foreign Affairs: Websites**

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   **Attachment A**
   **Post websites.**

<table>
<thead>
<tr>
<th>Post location (language/s)</th>
<th>Post location (language/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abu Dhabi (English/Arabic)</td>
<td>Abuja (English)</td>
</tr>
<tr>
<td>Post location (language/s)</td>
<td>Post location (language/s)</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Accra (English)</td>
<td>Amman (English/Arabic)</td>
</tr>
<tr>
<td>Ankara (English/Turkish)</td>
<td>Apia (English)</td>
</tr>
<tr>
<td>Athens (English)</td>
<td>Baghdad (English)</td>
</tr>
<tr>
<td>Bali (English)</td>
<td>Bandar Seri Begawan (English)</td>
</tr>
<tr>
<td>Bangkok (English)</td>
<td>Beijing (English/Mandarin)</td>
</tr>
<tr>
<td>Beirut (English/Arabic)</td>
<td>Belgrade (English)</td>
</tr>
<tr>
<td>Berlin (English/German)</td>
<td>Brazil (English/Portuguese)</td>
</tr>
<tr>
<td>Brussels (English/Flemish/French)</td>
<td>Budapest (English/Hungarian)</td>
</tr>
<tr>
<td>Buenos Aires (Spanish)</td>
<td>Cairo (English/Arabic)</td>
</tr>
<tr>
<td>Chicago (English)</td>
<td>Copenhagen (English/Danish)</td>
</tr>
<tr>
<td>Colombo (English)</td>
<td>Dili (English)</td>
</tr>
<tr>
<td>Dhaka (English)</td>
<td>Geneva (English)</td>
</tr>
<tr>
<td>Dublin (English)</td>
<td>Hanoi (English/Vietnamese)</td>
</tr>
<tr>
<td>Guangzhou (English/Mandarin)</td>
<td>Ho Chi Minh City (English)</td>
</tr>
<tr>
<td>Harare (English)</td>
<td>Hong Kong (English/Mandarin)</td>
</tr>
<tr>
<td>Honolulu (English)</td>
<td>Islamabad (English)</td>
</tr>
<tr>
<td>Holy See (English)</td>
<td>Kathmandu (English)</td>
</tr>
<tr>
<td>Honiara (English)</td>
<td>Kuwait City (English/Arabic)</td>
</tr>
<tr>
<td>Jakarta (English/Bahasa Indonesia)</td>
<td>London (English)</td>
</tr>
<tr>
<td>Kuala Lumpur (English)</td>
<td>Madrid (Spanish)</td>
</tr>
<tr>
<td>Lima (English)</td>
<td>Manila (English)</td>
</tr>
<tr>
<td>Lisbon (English/Portuguese)</td>
<td>Mexico City (Spanish)</td>
</tr>
<tr>
<td>Los Angeles (English)</td>
<td>Mumbai (English/Hindi)</td>
</tr>
<tr>
<td>Malta (English)</td>
<td>New Delhi (English/Hindi)</td>
</tr>
<tr>
<td>Moscow (English/Russian)</td>
<td>New York UN (English)</td>
</tr>
<tr>
<td>Nairobi (English)</td>
<td>Noumea (French)</td>
</tr>
<tr>
<td>Nauru (English)</td>
<td>Ottawa (English)</td>
</tr>
<tr>
<td>New York CG (English)</td>
<td>Phnom Penh (English)</td>
</tr>
<tr>
<td>Nicosia (English)</td>
<td>Port Louis (English)</td>
</tr>
<tr>
<td>Nuku'alofa (English)</td>
<td>Port of Spain (English)</td>
</tr>
<tr>
<td>Paris (English/French)</td>
<td>Pretoria (English)</td>
</tr>
<tr>
<td>Pohnpei (English)</td>
<td>Rangoon (English)</td>
</tr>
<tr>
<td>Port Moresby (English)</td>
<td>Rome (English/Italian)</td>
</tr>
<tr>
<td>Port Vila (English)</td>
<td>Seoul (English/Korean)</td>
</tr>
<tr>
<td>Ramallah (English/Arabic)</td>
<td>Stockholm (English)</td>
</tr>
<tr>
<td>Riyadh (English)</td>
<td>Taipei ACIO (English/Mandarin)</td>
</tr>
<tr>
<td>Santiago de Chile (Spanish)</td>
<td>Tehran (English)</td>
</tr>
<tr>
<td>Shanghai (English/Mandarin)</td>
<td>The Hague (English/Dutch)</td>
</tr>
<tr>
<td>Singapore (English)</td>
<td>Vienna UN (English)</td>
</tr>
<tr>
<td>Suva (English)</td>
<td>Warsaw (English/Polish)</td>
</tr>
<tr>
<td>Tarawa (English)</td>
<td>Wellington (English)</td>
</tr>
<tr>
<td>Tel Aviv (English)</td>
<td>Vientiane (English)</td>
</tr>
<tr>
<td>Tokyo (English/Japanese)</td>
<td>Zagreb (English/Croatian)</td>
</tr>
<tr>
<td>Washington (English)</td>
<td></td>
</tr>
</tbody>
</table>
### Attachment B

**Post websites that are primarily monolingual but with some other language content.**

<table>
<thead>
<tr>
<th>Post</th>
<th>Website section</th>
<th>Language(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia Embassy and Permanent Mission to the UN in Vienna</td>
<td>&quot;Contact Us&quot; page of the Visas and Migration Section</td>
<td>Albanian, Bosnian, Czech, German, Hungarian, Slovak, Slovenian and Ukrainian</td>
</tr>
<tr>
<td>Australian Embassy in Tel Aviv</td>
<td>Visa Section</td>
<td>Hebrew</td>
</tr>
<tr>
<td>Australian High Commission in Bandar Seri Begawan</td>
<td>The Ambassador's Welcome Message</td>
<td>Malay</td>
</tr>
<tr>
<td>Australian High Commission in Port Vila</td>
<td>The Ambassador's Welcome Message</td>
<td>Bislama</td>
</tr>
<tr>
<td>Australian Embassy in Buenos Aires</td>
<td>Consular/Passport Section</td>
<td>English (main site is in Spanish)</td>
</tr>
<tr>
<td>Australian Embassy in Santiago de Chile</td>
<td>Consular/Passport Section</td>
<td>English (main site is in Spanish)</td>
</tr>
<tr>
<td>Australian Embassy in Mexico City</td>
<td>Study in Australia, About Australia and Consular/Passport Sections</td>
<td>English (main site is in Spanish)</td>
</tr>
<tr>
<td>Australian Consulate General in Noumea</td>
<td>Consular/Passport Section</td>
<td>English (main site is in French)</td>
</tr>
<tr>
<td>Australian High Commission in New Delhi and Australian Consulates in Mumbai and Chennai</td>
<td>Adding additional languages to whole website is currently under consideration</td>
<td>Tamil and Murathi</td>
</tr>
</tbody>
</table>

### Attachment C

**Public diplomacy or event specific websites**

<table>
<thead>
<tr>
<th>Post</th>
<th>Website</th>
<th>Language(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Embassy in Seoul</td>
<td>Public diplomacy website to mark the 50th Anniversary of Diplomatic Relations between Australia and ROK. <a href="http://www.australiakorea50.com">www.australiakorea50.com</a></td>
<td>English and Korean</td>
</tr>
<tr>
<td>Australian Embassy in Beijing</td>
<td>Public diplomacy website to mark the Year of Australian Culture in China 2010-11. <a href="http://www.imagineaustralia.net">www.imagineaustralia.net</a></td>
<td>English and Mandarin</td>
</tr>
<tr>
<td>Australian High Commission in London</td>
<td>Public diplomacy website dedicated to Anzac Day events in the United Kingdom and a ticket registration service <a href="http://www.anzacdaylondon.com">www.anzacdaylondon.com</a></td>
<td>English</td>
</tr>
<tr>
<td>Australian Consulate-General in Los Angeles</td>
<td>Public diplomacy website to promote the GDay Owned and maintained by the Australia Week Committee comprising DFAT, Austrade, Qantas and Tourism Australia. <a href="http://www.australia-week.com">www.australia-week.com</a></td>
<td>English</td>
</tr>
<tr>
<td>Australian High Commission in Singapore</td>
<td>An online portal and monthly e-alert service about events in Singapore with an Australian connection. <a href="http://www.ozone.sg">www.ozone.sg</a></td>
<td>English</td>
</tr>
</tbody>
</table>
Every portfolio/agency within the responsibility of the Minister or Parliamentary Secretary:

(1) How many reviews are currently being undertaken in the portfolio/agency or affecting the portfolio/agency.

(2) What was the commencement date of each review.

(3) When will each review conclude.

(4) (a) Which reviews were completed in the period 1 January to 30 June 2011; and (b) when will the Government respond to each of these reviews.

(5) As at 30 June 2011, what was the cost of each of these reviews.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) Twenty four.

(2), (3) and (5) The following (Table A) reviews are currently being undertaken by Defence or contributed to by Defence.

### Table A

<table>
<thead>
<tr>
<th>No.</th>
<th>Review</th>
<th>Commenced</th>
<th>Concluded</th>
<th>Submission to Government</th>
<th>Cost as at 17 August 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Review of the Management of Incidents and Complaints</td>
<td>11 April 2011</td>
<td>31 August 2011</td>
<td>Government will respond once the reviews into aspects of Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$0.023m</td>
</tr>
<tr>
<td>2.</td>
<td>Review of Personal Conduct of ADF Personnel</td>
<td>11 April 2011</td>
<td>30 August 2011</td>
<td>Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$0.125m</td>
</tr>
<tr>
<td>3.</td>
<td>Review of Use of Alcohol in the ADF</td>
<td>11 April 2011</td>
<td>31 July 2011</td>
<td>$0.250m</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Review of APS Women's Leadership Pathways</td>
<td>11 April 2011</td>
<td>31 July 2011</td>
<td>$0.210m</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------------------</td>
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<td>------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>5.</td>
<td>Review of the Use of Social Media in Defence</td>
<td>11 April 2011</td>
<td>30 July 2011</td>
<td>Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$0.300m</td>
</tr>
<tr>
<td>6.</td>
<td>External to Defence – Review of Allegations of Sexual and other Abuse in Defence (DLA Piper)</td>
<td>April 2011</td>
<td>Due end of September 2011</td>
<td>Government will respond once the reviews into aspects of Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$658,733.94 (GST inclusive)</td>
</tr>
<tr>
<td>7.</td>
<td>External to Defence – Review of the Treatment of Women at ADFA and the ADF</td>
<td>April 2011</td>
<td>Expected reports: - Phase 1 no later than Dec 2011. - Phase 2 Early 2012</td>
<td>Australian Defence Force (ADF) and Defence culture have been received and considered.</td>
<td>$4.7m GST exclusive (AHRC budget estimate. Any underspend will be returned to Defence)</td>
</tr>
<tr>
<td>8.</td>
<td>Independent Review of the Intelligence Community – Whole of Government review led by Prime Minister and Cabinet: Defence contribution only</td>
<td>December 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>10.</td>
<td>Review of Defence Recognised Supplier Scheme (DRSS)</td>
<td>November 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>11.</td>
<td>Review of Unsolicited Promotional Product Offer Scheme</td>
<td>November 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>Nil</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------------------</td>
<td>----------------</td>
<td>--------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>13</td>
<td>ADF Posture Review</td>
<td>22 June 2011</td>
<td>March 2012</td>
<td>Government will respond once it has been received and considered</td>
<td>The full cost will be known after it completes its final report to the Government. The costs of the review will be met within Defence's overall operating Budget.</td>
</tr>
<tr>
<td>14</td>
<td>The Commonwealth and Defence Force Ombudsman Joint review with Defence into the delays in the Redress of Grievance process at the Service Chief level</td>
<td>November 2009</td>
<td>Defence Force Ombudsman closed this review August 2011 without finalising a report.</td>
<td>No report to be made</td>
<td>Nil</td>
</tr>
<tr>
<td>15</td>
<td>Ombudsman own motion investigation into the Factors Influencing Decisions about Conditions of Service</td>
<td>August 2009</td>
<td>Informal advice from Defence Force Ombudsman is that this review is complete but that no report will be made.</td>
<td>No report to be made.</td>
<td>Nil</td>
</tr>
<tr>
<td>16</td>
<td>Domain name System Security extensions (DNSSEC) Review – Whole of Government review led by the Department of Broadband, Communications and the digital Economy</td>
<td>August 2010</td>
<td>Continuing</td>
<td>Provided by Department of Broadband, Communications and Digital Economy</td>
<td>Nil</td>
</tr>
<tr>
<td>17</td>
<td>Collins Class Submarine Sustainment Business-Benchmarking Study (Coles Review)</td>
<td>August 2010</td>
<td>Final report due March 2012</td>
<td>For consideration by DOFD, Defence and ASC. For info to MINDEF and MINDM.</td>
<td>Approx $420,000</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Submission to Government</td>
<td>Cost as at 17 August 2011</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>18.</td>
<td>Brady Review into the Disposition of Defence's Non-Operational Overseas Personnel and positions.</td>
<td>September 2010</td>
<td>Continuing</td>
<td>Due in 2011</td>
<td>$114,000 (GST inclusive)</td>
</tr>
<tr>
<td>20.</td>
<td>Shared Services Review</td>
<td>May 2011</td>
<td>End of July 2011</td>
<td>Government will respond once it has been considered</td>
<td>$2.442m</td>
</tr>
<tr>
<td>21.</td>
<td>SSCFADT Inquiry into the Procurement Procedures for Items Identified in the Defence White Paper</td>
<td>February 2011</td>
<td>Continuing</td>
<td>N/A</td>
<td>Nil</td>
</tr>
<tr>
<td>22.</td>
<td>Inspector General of Intelligence and Security investigation into the Defence Security Authority security vetting process.</td>
<td>Referred to IGJS on Monday 30th May 2011</td>
<td>Continuing</td>
<td>Due to August/September 2011</td>
<td>Approx $40,000</td>
</tr>
</tbody>
</table>

(4) (a) to (b) and (5) The following (Table B) reviews were completed between 1 July 2010 and 30 June 2011.

**Table B**

<table>
<thead>
<tr>
<th>No.</th>
<th>Review</th>
<th>Commenced</th>
<th>Concluded</th>
<th>Government response date</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Review of Policy Framework for Clothing Procurement (Lewincamp Review)</td>
<td>February 2010</td>
<td>September 2010</td>
<td>November 2010</td>
<td>$87,000</td>
</tr>
<tr>
<td>No.</td>
<td>Review</td>
<td>Commenced</td>
<td>Concluded</td>
<td>Government response date</td>
<td>Cost</td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------------------------------------------------</td>
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<td>---------</td>
</tr>
<tr>
<td>2.</td>
<td>Review of the Reporting of Defects with ADF Personal Equipment and Combat Clothing (Whalan Review)</td>
<td>June 2010</td>
<td>September 2010</td>
<td>November 2010</td>
<td>$74,800</td>
</tr>
</tbody>
</table>

**Carbon Pricing (Question No. 962)**

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, ‘Strong Growth, Low Pollution: Modelling a carbon price’:

1. Is it correct that Treasury did not use Warwick McKibbin’s G-Cubed model on this occasion for any of its modelling; if so, why not, given the G-Cubed model is a highly regarded global model which has been widely used for precisely these sorts of exercises, and it was used for the Carbon Pollution Reduction Scheme modelling in 2008.

2. Is it correct that, for the 2008 modelling (Australia’s Low Pollution Future), the G-Cubed results for the 5 per cent emissions reduction scenario showed a cost to the level of Gross Domestic Product in 2030 that was more than twice as large as in the Global Trade and Environment Model (GTEM).

3. Is it correct that, for the 2008 modelling (Australia’s Low Pollution Future), the G-Cubed results for the 5 per cent emissions reduction scenario showed only just over half as much abatement being achieved globally via internationally-linked Emission Trading Schemes (ETS), in 2050, as the GTEM model.

4. Is it good modelling practice in general – especially for complex exercises like Carbon Tax Modelling that are potentially so dependent on assumptions about factors such as technological progress – to run several different models so as to allow comparison of the results (as was done in 2008).

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

1. Treasury used a broad suite of models that included the global computable general equilibrium (CGE) model GTEM, the domestic CGE model MMRF, the set of PRISMOD models for household price impacts, and detailed sector specific modelling of transport, electricity generation and land sector abatement by experts in those fields. The modelling exercise undertaken for the Australia’s Low Pollution Future (ALPF) report was predominantly focussed around providing information on the targets and trajectories for Australian emission reductions. In contrast, the modelling exercise for the Strong growth, low pollution (SGLP) report was predominantly focussed on domestic policy...
mechanisms. As such, more resources were devoted to the domestic implications of carbon pricing rather than the international dimension. This required a reordering of priorities given the time and budget constraints faced by the modelling exercise and resulted in the use of two sector specific electricity generation sector models rather than two international CGE models.

(2) Table 5.12 and 6.4 in the ALPF report presents a range of estimates for Gross Domestic Product in 2020 and 2050. Page 111 of the ALPF report outlines some of the reasons for the divergence of results between the G-Cubed and GTEM models.

(3) In the ALPF modelling exercise both GTEM and G-Cubed were required to meet the same environmental targets through time. It is not accurate to suggest that global emissions were significantly differently in the two models.

(4) See question 1.

**Carbon Pricing**

(Question No. 963)

_Senator Cormann_ asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling report, Strong growth, low pollution: Modelling a carbon price:

Given Treasury has released additional domestic electricity sector modelling reports by consultants, to supplement the Strong growth, low pollution: Modelling a carbon price, and press coverage of these reports suggests that they show that regions such as the Latrobe Valley will not be adversely affected by the carbon tax/emission trading scheme, with power generation capacity in the region actually increasing.

(1) Is this correct over the period out to 2020, rather than just out to 2050; if so, does it take into account the Government’s announced plan to spend some unspecified billions of dollars to shut down 2000 MW of brown coal power generation capacity by 2020.

(2) More generally, how reliable does Treasury regard the modelling of these sorts of regional level claims to be.

_Senator Wong:_ The Treasurer has provided the following answer to the honourable senator's question:

Section 5.4.3 of the Government’s Strong growth, low pollution: modelling a carbon price report contains detailed projections of the electricity generation sector, including generation capacity in the Latrobe Valley/Gippsland region over time.

The modelling shows that the Latrobe Valley remains an important energy exporting region, even as existing coal plant is retired. The Latrobe Valley has significant transmission and distribution networks, making it ideal for investment in new and cleaner energy sources.

The Government’s planned closure of 2000 MW of very highly emission-intensive power generation capacity was not specifically modelled. However, the modelling does include retirements that are projected to occur as a result of carbon pricing.

SKM MMA and ROAM both modelled the electricity sector at the generator level and included region specific assumptions about the cost and performance of new generators. As such, the regional results of the electricity sector modelling are considered reliable, subject to the inherent uncertainties involved in these types of modelling exercises.
**Carbon Pricing**  
*(Question No. 964)*

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling Strong growth, low pollution: modelling a carbon price:

Given that ‘Chart 3.5 of international carbon prices’ shows prices for the European Union emission trading scheme (EU ETS) only on a ‘3 month moving average’ basis, and only from 2008 onwards.

(1) Why does Chart 3.5 only go back to 2008, instead of to 2005 when the EU ETS started.

(2) How much more volatile would Chart 3.5 look if it were plotted on a daily or weekly basis.

(3) How many days have there been during 2011 to date when EU permit prices have fallen or risen by:
   (a) 10 per cent or more in a day;
   (b) 5 per cent or more in a day; and
   (c) 2 per cent or more in a day.

(4) How many weeks have there been during 2011 to date when EU permit prices have fallen or risen by:
   (a) 20 per cent or more over the course of a week;
   (b) 10 per cent or more over the course of a week; and
   (c) 5 per cent or more over the course of a week.

(5) What are the lowest and highest nominal permit prices recorded in the EU ETS since its inception in 2005, and what is the current permit price.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

Chart 3.5 in the Strong growth, low pollution: modelling a carbon price report shows EU ETS permit prices from 2008 to present. This period was selected as Phase II of the EU ETS was considered the most appropriate period for examination of future carbon prices. The first trading period of the EU ETS (which ran from 2005 to 2007) was designed as a pilot phase with different policy settings to the current EU ETS and the proposed carbon price mechanism — particularly in relation to the banking of permits and sectoral coverage.

Underlying market prices for financial instruments, such as EU carbon permits, are better reflected by trend movements, rather than temporary price fluctuations. For this reason a 3 month moving average was applied to the data to look through temporary daily movements.

Based on settlement prices from IntercontinentalExchange, from 3 January 2011 to 18 August 2011 (164 trading days), there were:
- 31 trading days involving a daily change in the EU ETS settlement spot price of between 2 per cent and 5 per cent;
- 7 trading days involving a daily change of between 5 per cent and 10 per cent; and
- there were no daily changes of 10 per cent or greater.

Over the same time (32 weeks), there were:
5 weekly periods involving a weekly change in the EU ETS settlement spot price (from Friday to Friday) of between 5 per cent and 10 per cent;

2 weekly periods involving a weekly change of between 10 per cent and 20 per cent; and

1 weekly period involving a weekly change of 20 per cent or greater.

Since 2005, the lowest recorded EU ETS settlement price was €8.20 (on 12 February 2009) and the highest was €32.90 (20 April 2006). The EU ETS settlement price for 18 August was €12.22.

The Government’s proposed domestic carbon price mechanism will only apply to the 500 biggest polluters in Australia. These businesses have experience in managing risk in relation to a range of factors such as variable electricity prices, commodity prices and exchange rates. As such, they are well equipped to manage a variable carbon price.

Carbon Pricing
(Question No. 965)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

Given that the Treasury modelling asserts on p. 3 of the 'Overview' that 'delaying global action by 3 years adds around 20 per cent to the first year global mitigation cost':

(1) How can the notion that delay is very costly be reconciled with the fact that in the latter part of the modelling horizon, under what is supposedly the optimal approach to emissions reduction (global carbon pricing), the world does a huge fraction of its 'abatement' simply by borrowing abatement from the future.

(2) How can such a 'delay', year after year through this latter part of the modelling horizon, be economically desirable as part of a global market mechanism, when far smaller scale delay earlier on is reportedly very costly.

(3) If such global delay were not allowed later on, how much higher would the global carbon price need to be in 2050 than its projected level of $131 per tonne in real, 2010 Australian dollars.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

Delayed global action to reduce greenhouse gas emission will raise the cost of achieving any given stabilisation target for three reasons: (i) opportunities for low cost abatement in earlier years will be forgone; (ii) emission-intensive investment will be locked in; and (iii) the starting carbon price will be higher, resulting in a bigger adjustment to the economy. The Treasury modelling contained in the Strong growth, low pollution report found that delaying global action by 3 years adds around 20 per cent to the first year global mitigation cost. Delaying entry by a further 3 years adds a further 30 per cent to the first year mitigation cost.

The question implies that the methodology adopted in the Treasury modelling for determining the global carbon price path results in a delay in global emission reductions through the borrowing of abatement from the future. That is an incorrect inference. The carbon price path is determined such that the global emission path achieves the given environmental target. The actual emissions reported in the report are those that determine the calculation for the environmental target, not the allocated emission path. It is the combination of the carbon price and actual emission reductions that result in the output impacts from achieving global emission reductions. The banking and borrowing assumptions do not influence to any significant degree the Australian and world gross output modelling results.
Carbon Pricing
(Question No. 966)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury 2008 Carbon Tax modelling Australia's low pollution Future, is it correct that in the Carbon Pollution Reduction Scheme (CPRS) modelling no global borrowing of emissions from the future occurred in the CPRS-5 scenario at any stage prior to 2050.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

Chart 5.3 in Australia's Low Pollution Future report (page 96) shows that the implied level of globally banked permits in the CPRS -5 scenario remains positive in 2050.

Carbon Pricing
(Question No. 967)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

In relation to the Government's estimates of the initial impacts of its carbon tax on households, in Table 5.20 of the Treasury modelling the results for families on 'estimated price impacts by household type' are all generically subdivided into either 'with children' or 'no children' – rather than distinctions being drawn based on the number of children:

(1) Is it the case that, for families with children, Treasury's modelling of the household impacts of the carbon tax has been done on a generic basis (i.e. 'with' or 'without' children), rather than separately modelling different family sizes; if so, does this mean that the household modelling results may not fully capture all of the different potential impacts of the carbon tax on households of different sizes.

(2) Conversely, if different household sizes have been separately treated in the Treasury household modelling, has this further disaggregation of households reduced the sample sizes for some of these categories to the point where the results are not statistically significant (at the significance levels used in the tables on p. 126 of the Treasury modelling).

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The Treasury household modelling of a $23 carbon price in 2012 13 has been undertaken using detailed ABS income and expenditure data at the individual household level. These data are representative of different household types, income levels and different family sizes. Table 5.20 of Strong growth, low pollution: Modelling a carbon price presents a summary of this analysis for 11 different household categories.

Carbon Pricing
(Question No. 968)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling Strong growth, low pollution: Modelling a carbon price:
Given the shapes of the curves in the right-hand panels of Charts 5.10 to 5.13 of the Treasury modelling show the impact of the carbon tax, in percentage deviation terms, continuing to grow at a more or less steady pace, year after year, right through until 2050, for each of Gross National Income (GNI) per person, the capital stock, real wages and Gross Domestic Product (GDP), on this basis:

(1) How much longer will these costs continue to grow like this.

(2) At what level do the equilibrium costs to the levels of GDP, GNI and real wages eventually settle (in percentage deviation terms).

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

The left-hand panels of Charts 5.10 to 5.13 of Strong growth, low pollution show the projected levels of gross national income per person, capital stock, real wages and gross domestic product under various policy scenarios, with and without carbon pricing. The right-hand panels of these charts show the marginal impact on these variables of the carbon price relative to what is projected to occur without carbon pricing. In all instances the level of the relevant variable is higher in the future with and without carbon pricing, with carbon pricing having a modest impact on the annual growth of these variables. The carbon price path adopted in the Australian economic modelling is that required to achieve various environmental objectives. Once those environmental objectives are met the carbon price would be expected to stabilise as would the implications for all other economic variables in the projections.

**Carbon Pricing**  
*(Question No. 969)*

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

Given Treasury modelling states in Chapter 3 on p. 53 that ‘...due to the inelastic nature of oil demand, after a threshold is reached, higher oil prices do not induce lower emissions'.

(1) Does this observation imply that it would be pointless (in emissions reduction terms) for the Government to allow its carbon tax on heavy vehicle transport fuels (which is to be in place by 2014-15) to continue to rise indefinitely, in line with the projected relentless rise of the carbon price in the Treasury modelling; if so, has Treasury advised the Government of this.

(2) Is an eventual unlinking of the transport fuels excise from the carbon price factored into Treasury's economic and fiscal modelling.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

The Strong growth, low pollution: modelling a carbon price (SGLP) report shows that an effective carbon price on fuel used in heavy on-road vehicles will reduce transport sector emissions in Australia and provide an incentive for business to develop and adopt cleaner transport fuels and technologies. In the scenarios explored in the SGLP report, abatement from the Australian road transport sector continues to occur at higher carbon prices, encouraging greater uptake of low emission options such as bio fuels and electric vehicles.
**Carbon Pricing**
*(Question No. 970)*

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price, under the medium global action scenario, what is the projected parts per million concentration of CO2-e in the atmosphere in 2050.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

The atmospheric concentration of greenhouse gases is projected to be around 556 parts per million in 2050 in the medium global action scenario. The concentration level is projected to increase further before stabilising at 550 parts per million by around 2100.

**Carbon Pricing**
*(Question No. 971)*

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: modelling a carbon price, and specifically page 5 of the 'Overview', is the statement 'gross national income per person is expected to grow at an annual rate of 1.2 per cent to 2020' an error, since it seems inconsistent with the figures in Table 1.1 on page 11.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

In the Strong growth, low pollution (SGLP) report, the growth rate of GNI per person in the global medium action scenario over the period (to 2050) is 1.2 per cent, consistent with the figure reported in Table 1.1 on page 11. There are two references to GNI per person in the scenario 'before domestic carbon pricing' on page 5 of SGLP report. The first reference has an inconsistency between the reported growth rate and the stated time period. The growth of GNI per person in the global medium action scenario over the period to 2020 is 1.6 per cent as reported in Table 5.1.

**Carbon Pricing**
*(Question No. 972)*

**Senator Cormann** asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price, and specifically Table 3.5 (Global headline indicators) on p. 40 of the Treasury modelling:

1. Why does the level of actual emissions in 2010 differ across the 3 scenarios.
2. Is it correct to infer from the data in this table and elsewhere that the Treasury modelling envisages a real AUD/USD exchange rate of around $1.07 in 2010, rising to around $1.14 in 2020 and then dropping back to around 76c by 2050.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

1. The international baseline scenario represents a world where only international abatement policies in place prior to 2008 are included. In contrast, the global action scenarios include abatement policies enacted since 2008 and assumed to take place in future. These policy differences explain the
difference in emission levels for 2010 reported in Table 3.5 of the Strong growth, low pollution (SGLP) report.

(2) Consistent with the 2011-12 Budget, the Australian exchange rate is assumed to be 107 US cents in 2011-12 in the scenarios explored in the SGLP report (see page 59). The implied Australian exchange rate in the core policy scenario outlined in the SGLP report falls over time to maintain Australia's external balance, responding to movements in the terms of trade, trade volumes and income flows.

Carbon Pricing
(Question No. 973)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

(1) Why is there a major step down in estimated global annual emissions in 2012-13 in Chart 1.1 on p. 4 of the 'Overview', even when this is viewed as an 'equilibrium' projection.

(2) Specifically, what are the changes between 2011-12 and 2012-13 in global emissions-reduction settings or commitments that account for this fall.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) The projected step down in global emissions reflects expanding international mitigation action. The Global Trade and Environmental Model (GTEM), which was used to produce the international modelling results in the Strong growth, low pollution (SGLP) report, assumes labour and capital adjust quickly across industries, and it does not capture as many of the transition issues to a policy change as would be experienced in the real world, as acknowledged in the SGLP report (page 27).

(2) Individual countries are assumed to increase their implementation of policy action towards meeting their 2020 pledges in 2012-13.

Carbon Pricing
(Question No. 974)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury carbon tax modelling, Strong growth, low pollution: Modelling a carbon price:

(1) What is the expected share of Australia's electricity generation that will come from wind power in 2020 and in 2050.

(2) How many wind turbines will have to be installed to achieve these generation shares (given available data on the actual average power output of wind turbines, relative to their rated output).

(3) How many new wind farms do these figures correspond to, given the current typical size of wind farms, and in what regions, in the modelling, will these wind farms be located.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

Section 5.4.3 of the Government's Strong growth, low pollution (SGLP) report contains detailed projections of the electricity generation sector, including the projected share of wind generation.
These projections are based on detailed analysis provided by SKM MMA and ROAM Consulting. Further details on the assumptions underpinning the projections of new wind investments — such as cost, capacity factors, land availability and network access — can be found in the consultants' reports on the SGLP website.

The modelling projects that the combined effect of the carbon price and the Large-scale Renewable Energy Target (LRET) will drive significant investment in new wind capacity. A large proportion of this investment is expected to be in southern Australia, where the best wind resources are located near networks.

Carbon Pricing  
(Question No. 975)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

Given that Table 1.1 'Headline Australian Indicators' on p. 11 of the 'Overview' includes figures on the emissions-intensity of output under the 'core policy scenario'.

(1) Is it correct that these figures imply a reduction of around 20 per cent in domestic emissions intensity over the decade to 2020 under the carbon tax/emission trading scheme.

(2) What was the reduction in emissions-intensity of Australian output achieved between 1990 and 2008 (in percentage terms).

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

In the Treasury modelling for the Government's Strong growth, low pollution (SGLP) report, the emission intensity of GDP in the core policy scenario decreases by 20 per cent from 2010 to 2020, compared to a decline of 13 per cent in the medium global action scenario without carbon pricing.

Without land use change emissions, the decrease is 19 per cent in the core policy scenario from 2010 to 2020, compared to an 11 per cent fall in medium global action scenario. This compares to decreases in the emission intensity of GDP of 19 per cent from 2000 to 2010 and 17 per cent from 1990 to 2000.

Carbon Pricing  
(Question No. 976)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

In Appendix B of the Treasury modelling there is a table (p. 167) with information about the assumed values, for different fuels (coal, gas, diesel, etc), of certain key parameters (\(\alpha\), \(\gamma\)) which determine the 'extent of adjustment of emission intensity in response to a carbon price' (p. 164), and on the same page, the report notes that higher values imply 'larger changes' (i.e. bigger improvements in emissions intensity for a given carbon price, relative to the starting level).

Comparing the figures assumed for each fuel in the current modelling exercise with those assumed for the previous carbon pollution reduction scheme modelling, is it correct that the following changes have been made, from among the 7 fuel categories considered:
(1) The assumed values for both $\alpha$ and $\gamma$ have been increased in the latest modelling for all of gasoline, diesel, LPG, air fuels and other fuels (in the case of $\alpha$, by more than a factor of 2 in each case).

(2) For gas, the parameters are almost unchanged (though $\gamma$ has been increased very slightly) and only for coal has the marginal cost of abatement been raised, via a modest lowering in the assumed value of $\gamma$; if so, on what basis were these changes made.

(3) Do these parameter changes imply that Treasury is now assuming that a given carbon price will have a greater impact in terms of reducing emissions intensity, for all of gasoline, diesel, LPG, air fuels and other fuels (and even, to a small degree, for gas), while only for coal have the assumptions been changed modestly in the opposite direction.

(4) Is a further implication of these changes that:

(a) they reduce the economic cost of achieving a given degree of abatement, in the case of almost all fuels; and

(b) to the extent that this is not so for coal, they increase the incentive for the economy to shift away from the use of coal and towards other fuels.

(5) How much difference do these parameter changes make to the modelling outcomes, and in particular, what would the modelling results look like if the same parameter values had been used as in 2008.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The combustion marginal abatement cost (MAC) curve parameters used in the Treasury modelling for the Government's Strong growth, low pollution (SGLP) report were revised from those used in previous Treasury carbon price modelling. The revised parameters reflect updated information on the technological options available to industry to reduce their emissions arising from the use of various fuels in their production processes. It is important to note that these parameters do not apply to the use of these fuels in the electricity generation sector or from the provision of transport as these sectors are modelled through detailed sector specific modelling of technological options.

The changes in the parameters taken as a whole imply that for a given carbon price there could be a smaller reduction in emissions than under the CPRS modelling. In order for firms to access the abatement opportunities represented by the MAC curves they must incur a resource cost. As a result, the MAC curve parameter values have little impact on individual industry output growth rates. The change in parameters slightly changes the overall economic cost of achieving any given emission reduction target through changing the degree to which abatement is sourced within Australia or overseas.

Carbon Pricing

(Question No. 977)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

Given that in the medium global action scenario in the Treasury modelling, Treasury assumes that countries in the Organization of the Petroleum Exporting Countries [OPEC] enter co-ordinated global action on carbon pricing from 2021:

(1) What probability does Treasury attach to the idea that countries like Iran, Qatar, Saudi Arabia, Venezuela, Syria and Yemen will have operational and internationally-linked emission trading schemes (ETSs) within 10 years.
(2) If they are not expected to have internationally-linked ETSs by this time, what does it mean to say that they will join co-ordinated global action on carbon pricing by 2021.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The Treasury modelling contained in the Strong growth, low pollution (SGLP) report assumes that OPEC\(^1\) as a group of countries responds to a mitigation target from 2021. It assumes that OPEC is able to buy or sell abatement from or to either firms or governments outside OPEC to achieve its target. The modelling does not assume OPEC will have an operational emission trading schemes (ETS) in 2021. Members of OPEC currently undertake Clean Development Mechanism projects which allow countries to source abatement within the OPEC region.

\(^1\) Note that the "OPEC" region in the GTEM model used for the SGLP report does not align exactly with current membership of OPEC. The GTEM OPEC region includes: Bahrain, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Palestinian Territories, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Venezuela, and Yemen.

**Carbon Pricing**  
(Question No. 978)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

(1) Is it correct that in 2020, under the medium global action scenario, Treasury modelling foresees that the ‘rest of the world’ bloc will be purchasing over 800 million tonnes per annum of CO2-e abatement from other countries, more than the total abatement being purchased in that year by the United States of America, the European Union, Japan and Canada combined.

(2) To the nearest percentage point, how much would these purchases represent as a share of the projected 2020 Gross Domestic Product of this bloc of countries, which includes some of the poorest in the world (countries like Papua New Guinea, Somalia, Malawi, Pakistan and Mongolia).

(3) What probability does Treasury attach to this actually occurring.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) The global economic modelling undertaken for the Strong growth, low pollution (SGLP) report indicates that it could be cost effective for the Rest of World (ROW) to sources 805 Mt CO2–e of abatement from other countries in 2020. This result is dependent on the abatement costs within the ROW and the amount to which they choose to contribute to any global emission reduction target.

(2) The sourcing of abatement from outside the ROW group represents a cost of 0 per cent to the ROW economy, rounded to the nearest percentage point.

(3) The scenario modelling provides a projection of what could happen in the future, given the structure of the models and input assumptions, as acknowledged in page 24 in the SGLP report.
Carbon Pricing
(Question No. 979)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

(1) Is it factually correct that the results of Treasury modelling show that, for the medium global action scenario, the gross domestic product-per-person cost for countries in the Organization of the Petroleum Exporting Countries (OPEC) in 2050 will be around 20 or more times the estimated cost for the United States of America or the European Union.

(2) Is it also correct, based on the figures in Table 3.8 of the Treasury modelling and Treasury's real carbon price projections, that Treasury is forecasting that by 2050 the OPEC bloc will be collectively spending around US$150 billion a year in real, 2010 US dollars to buy carbon credits from other nations.

(3) What probability does Treasury attach to this actually occurring.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) Table 3.7 in the Strong growth, low pollution (SGLP) report shows the projected effect on Gross Domestic Product-per-person by country or region expressed as a percentage deviation from the baseline. Since OPEC's Gross Domestic Product is significantly smaller than that of the United States of America or the European Union, the ratio of effects on Gross Domestic Product-per-person costs will be lower than shown in this table.

(2) The results in Table 3.8 indicate that it is cost effective for the OPEC countries to purchase some portion of any emission reduction from outside their region. This result is dependent on the abatement costs within the OPEC and the amount to which they choose to contribute to any global emission reduction target.

(3) The scenario modelling provides a projection of what could happen in the future, given the structure of the models and input assumptions, as acknowledged in page 24 in the Strong Growth, Low Pollution report.

Carbon Pricing
(Question No. 980)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

(1) Is it correct that Treasury modelling envisages that the bloc 'Other south and east Asia' will reduce its emissions by around twice as much in 2020 in percentage terms, from 2001 levels, as either the United States of America or the European Union.

(2) What probability does Treasury attach to this actually occurring, and where does this bloc's emissions stand currently, at the half-way mark between 2001 and 2020.

(3) Is it a correct interpretation of Table 3.9 of the Treasury modelling that this bloc is projected to reduce its emissions by more than 100 per cent by 2050, relative to 2001 levels, under the medium global action scenario; if so, how is this possible.
Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) Table 3.9 of the Strong growth, low pollution (SGLP) report shows that Other South and East Asia's percentage emission reduction from 2001 levels in 2020 is approximately 1.8 times that of the United States and the European Union. This includes net emissions from land use change and forestry (LUCF).

(2) Other South and East Asia's projected emission reduction in the modelling reflects their ability to abate cost-effectively, for example, through LUCF. According to the latest data available from Climate Analysis Indicators Tool (CAIT) database, Other South and East Asia's CO2 emissions including LUCF are around 12 per cent higher in 2005 than 2001 levels.

(3) Table 3.9 of the Strong Growth, Low Pollution report shows that Other South and East Asia provides a net sink of emissions by 2050. This is possible because of LUCF activities in the region.

Carbon Pricing
(Question No. 981)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price, does Treasury modelling assume unlimited global banking and borrowing of permits over time and is it correct that as a result:

(a) the global carbon price is in fact smoothly determined over the next 40 years by a global emissions reduction path determined by a 'Hotelling rule'; and

(b) different countries' emissions allocations in the modelling (based on Cancun 'pledges' to 2020 and a 'multistage allocation rule' thereafter) are in fact irrelevant to the determination of the global carbon price in the model.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The method by which the global carbon price trajectory is determined is described in detail in pages 149-150 in the Strong growth, low pollution (SGLP) report.

Carbon Pricing
(Question No. 982)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

With reference to the Treasury Carbon Tax modelling, Strong growth, low pollution: Modelling a carbon price:

Given that in relation to emissions intensity in the global electricity generation sector, a noticeable feature of Chart 3.12 in the Treasury modelling is that, leaving aside the two big 'steps down' in this chart, it does not otherwise show much improvement in emissions intensity (either in the baseline or the medium global action scenario) until around 2026-27, when emissions intensity starts to drop steadily: Is this driven by the modelling's assumption about when carbon capture and storage becomes commercially viable; if not, what is driving it.
Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

The projected emission intensity of electricity output is affected by the projected take up of renewable, nuclear and carbon capture and storage (CCS) technologies as shown in the Chart 3.13 in the Strong growth, low pollution (SGLP) report.

The modelling assumption about the availability of CCS technology is in line with other studies, such as the International Energy Agency's World Energy Outlook 2010.

Australian Taxation Office

(Question No. 987)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 18 August 2011:

(1) What was the total expenditure of the Australian Taxation Office for the 2010-11 financial year in relation to:

(a) advertising;
(b) air travel within Australia in business class;
(c) air travel within Australia in economy class;
(d) air travel within Australia by charter flight;
(e) air travel outside Australia in first class;
(f) air travel outside Australia in business class;
(g) air travel outside Australia in economy class;
(h) air travel outside Australia by charter flight;
(i) hospitality and entertainment;
(j) information and communications technology (ICT) costs generally;
(k) ICT costs to external providers;
(l) external consultants generally;
(m) external accounting services;
(n) external auditing services;
o) external legal services; and
(p) memberships or grants paid to affiliate organisations.

(2) In relation to each of the items referred to in question 1, what is the budgeted total expenditure for the 2011-12 financial year.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) The Australian Taxation Office (ATO) incurred the following expenditure in 2010-11:

(a) Advertising – general non-staff related advertising was $1.354 million or 0.04% of the 2010-11 budget. Included in this amount is expenditure related to specific campaigns undertaken over 2010-11 to inform the community or target audiences about their rights entitlements or obligations. The ATO Annual Report includes detailed information on advertising undertaken by the ATO for a broad range of activities including direct mail, media placement and market research.

(b) and (c) The ATO collected $253.2 billion in 2009-10 and employs 22,189 ongoing staff and 2,820 temporary/non-ongoing staff in 61 sites including 35 major sites, in metropolitan and regional areas all around Australia. About 87% of ATO staff are located outside Canberra. The ATO's operating
expenditure budget in 2010-11 was $3,230 million. Total expenditure on air travel in 2010-11 was $20.579 million which represents 0.65% of the total budget and approximately $927 per ongoing staff member. An indicative breakdown between business class and economy class travel is provided below, based on analysis of the top twenty routes travelled in 2010-11:

- Air travel within Australia in business class – $7.758 million or 0.2% of the 2010-11 budget
- Air travel within Australia in economy class – $12.821 million or 0.4% of the 2010-11 budget.
(d) Air travel within Australia by charter flight – Nil
(e) Air travel outside Australia in first class – $0.029 million or 0.001% of the 2010-11 budget.
(f) Air travel outside Australia in business class – $0.461 million or 0.014% of the 2010-11 budget.
(g) Air travel outside Australia in economy class – $0.034 million or 0.001% of the 2010-11 budget.
(h) Air travel outside Australia by charter flight – Nil.
(i) Hospitality and entertainment – $0.089 million or 0.003% of the 2010-11 budget. This expenditure includes light refreshments provided to a wide range of consultative and stakeholder groups and forums as well as gifts for guest speakers and international delegations visiting the ATO and official dinners.
(j) Total operating Information and communications technology (ICT) budget is $624 million or 19.3% of the 2010-11 budget. In addition, the ATO's 2010-11 ICT related capital expenditure was $76.0 million comprising $40.4 million for internally developed software, $20.5 million for IT infrastructure and $15.1 million for purchased software.
(k) ICT costs to external providers – $386.9 million or 12% of the 2010-11 budget. ICT services supplied by external providers include the ATO's desktop computers and other office machines, all ICT service support services including the IT help desk, all phone services including call centre infrastructure, all mainframe and midrange services, data warehouse and storage services.
(l) External consultants generally – $9.286 million or 0.287% of the 2010-11 budget.
(m) External accounting services – $0.144 million or 0.004% of the 2010-11 budget.
(n) External auditing services – the ATO does not pay for external auditing services. External audit services are provided to the ATO by the Australian National Audit Office (ANAO). While there is a charge for this service the charge is classified as 'Resource received free of charge'. In 2010-11 this charge was $3.578 million.
(o) External legal services – $54.083 million or 1.674% of the 2010-11 budget. The ATO’s expenditure on external legal services is reported in its Annual Report.
(p) Memberships or grants paid to affiliate organisations – the ATO generally does not pay for staff memberships. The ATO contributed $178,338 to the OECD Forum on Tax Administration in 2010-11.

(2) The ATO's internal budget for 2011-12 does not provide budget information at the requested level of detail for the majority of the areas listed in Question 1. However, 2011-12 budget information is provided for the following categories:

(b) – (h) The ATO does not budget separately for airfares. The ATO's total travel budget for 2011-12 is $45 million or 1.4% of the 2011-12 budget. The travel budget includes the cost of all airfares, accommodation, motor vehicle fleet costs as well as other travel related expenses including taxi fares.

(j) Total operating ICT budget is $628.6 million or 19.1% of the 2011-12 budget. The ATO’s total ICT related capital budget for 2011-12 is $97.7 million.

(k) ICT costs to external providers - $387.5 million or 11.7% of the 2011-12 budget.

(l) External consultants generally – the current 2011-12 budget is $10.240 million or 0.31% of the 2011-12 budget.
(n) External auditing services – the ATO does not pay for external auditing services. External audit services are provided to the ATO by the Australian National Audit Office (ANAO). While there is a charge for this service the charge is classified as ‘Resource received free of charge’. The 2011-12 budget for this charge is $3.580 million or 0.11% of the 2011-12 budget.

(o) External legal services – The ATO’s total legal services budget for 2011-12 which includes external legal services is $53.9 million or 1.6% of the 2011-12 budget.

The budget amounts above are initial budget amounts for 2011-12 and are subject to change.

All expenditure and budget amounts provided above are ATO only and exclude the Australian Valuation Office (AVO).

All figures quoted in this response are GST exclusive.

Asylum Seekers
(Question No. 1011)

Senator Abetz asked the Minister representing the Minister for Immigration and Citizenship, upon notice, on 18 August 2011:

Have any detainees or former detainees at immigration detention facilities initiated legal action against the Commonwealth for illegal detention: if so:

(a) how many;
(b) how many claims have been: (i) settled, or (ii) contested in court, by the Commonwealth;
(c) what has been the: (i) average, and (ii) total cost of settling these claims to date;
(d) which law firms, centres or practitioners have acted for such claimants;
(e) how many claimants has each firm, centre or practitioner represented; and
(f) has any firm, centre or practitioner been in receipt of funding from the Commonwealth for acting on behalf of detainees or former detainees; if so, in each case, how much was the funding.

Senator Carr: The Minister for Immigration and Citizenship has provided the following answer to the honourable senator's question:

(a) For the period 1 January 2000 to 1 August 2011, the Department of Immigration and Citizenship's records show that 63 claims for compensation have been filed in the courts that include claims of unlawful detention by detainees or former detainees. All compensation payments were to persons in immigration detention prior to August 2007.

(b) Of these 63 claims, Department records show: 32 were settled prior to hearing with compensation paid; 17 are currently ongoing before the courts (including matters on appeal); 6 applicants have withdrawn; the court has found in the Department's favour in 6 matters; the Department lost 1 matter that resulted in compensation being paid; and the Department withdrew from 1 matter (no compensation was paid).

As these matters may have also raised other claims (such as personal injury), it should not be assumed that the unlawful detention claim formed the basis for any settlement. As such, although it was claimed in each of the matters, settlement does not necessarily mean that the applicant was unlawfully detained.

(c) Departmental records show that a total of $10,217,645 was paid in compensation in relation to matters in which an unlawful detention claim was made. This figure is only approximate as some settlements were inclusive of costs, while others were exclusive of costs. This amounts to an average settlement payment of $309,626 for the 33 matters in which compensation was paid. However, and as noted above, other claims may have been raised in these matters, so the compensation may not only
relate to unlawful detention claims. All compensation payments were to persons in immigration detention prior to August 2007.

(d) and (e) Plaintiffs may have changed legal representation during the course of the proceedings, however, departmental records show that the following law firms, centres or practitioners initially acted in the above mentioned matters:

- Legal Aid NSW, represented 11 plaintiffs
- Michaela Byers, represented 9 plaintiffs
- Self represented, 6 plaintiffs
- Walter Madden Jenkins Solicitors, represented, 5 plaintiffs
- Victoria Legal Aid, represented 4 plaintiffs
- Mark A Cruice Lawyers, represented 4 plaintiffs
- Christopher Levingston & Associates, represented 3 plaintiffs
- Holding Redlich, represented 3 plaintiffs
- Carroll & O'Dea Lawyers, represented 2 plaintiffs
- Michel Jones, Solicitor, represented 1 plaintiff
- Thomson Playford, represented 1 plaintiff
- Burn and Swift Lawyers, represented 1 plaintiff
- Mark Andrews & Associates, represented 1 plaintiff
- Messrs Kazi & Associates Solicitors, represented 1 plaintiff
- McDonald Steed, represented 1 plaintiff
- Parish Patience, represented 1 plaintiff
- Friedman Lurie Singh & D'Angelo Weste Solicitor, represented 1 plaintiff
- Freedman Lawyers, represented 1 plaintiff
- Milne Berry Berger Freedman, represented 1 plaintiff
- Christie & Strbac, represented 1 plaintiff
- Teakle Ormsby Conn, Lawyers, represented 1 plaintiff
- Wyatt Attorneys, represented 1 plaintiff
- AJ Torbey & Associates, represented 1 plaintiff
- Murphy Schmidt, represented 1 plaintiff
- PSK Legal lawyers, represented 1 plaintiff

(f) No firm, centre or practitioner has been in receipt of funding administered by the Department of Immigration and Citizenship for the purpose of bringing a claim for compensation for unlawful detention.

The Commonwealth Attorney-General's Department administers Commonwealth funding arrangements for legal aid through the National Partnership Agreement on Legal Assistance Services with the States and Territories. Services are delivered by State and Territory legal aid commissions which are independent State and Territory statutory bodies. Under the National Partnership Agreement on Legal Assistance Services, "migration matters where assistance is not available from services funded by DIAC" are a legal aid service priority. It is up to legal aid commissions to determine whether to provide assistance according to eligibility requirements and in the context of other demands and available resources. The Attorney-General's Department also administers grants to community legal centres.
The Australian Government provides financial assistance to individuals to help with the cost of legal proceedings under certain Commonwealth laws, or where the Commonwealth holds a special interest and mainstream legal aid is not available. The Financial Assistance Section within the Attorney-General's Department is responsible for administering these grants of assistance under a number of statutory and non-statutory financial assistance schemes. There is a longstanding practice, endorsed by successive Attorneys-General, not to comment on whether assistance has been provided through these schemes in individual cases. This practice is consistent with obligations imposed by the Privacy Act 1988. It also protects information provided by applicants which would otherwise be subject to solicitor-client confidentiality.

**Special Minister of State: Staffing**

(Question No. 1014)

Senator Ian Macdonald asked the Minister representing the Special Minister of State, upon notice, on 22 August 2011:

In relation to the costs of travel and travel allowances paid to private staff of ministers and parliamentary secretaries:

1. What has been the total amount paid by the department or by the Government in each financial year since the 2007 election for costs of travel.
2. What has been the total amount paid each financial year since the 2007 election for travelling allowance to staff of: (a) ministers; and (b) parliamentary secretaries.

Senator Wong: The Special Minister of State has provided the following answer to the honourable senator's question:

'Private staff' has been interpreted to mean personal staff employed under Part III of the Members of Parliament (Staff) Act 1984.

1. The total amount payable by the Department of Finance and Deregulation for the cost of travel for personal staff of ministers and parliamentary secretaries is:

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/12/07 to 30/06/08</td>
<td>3,881,299.88</td>
</tr>
<tr>
<td>01/07/08 to 30/06/09</td>
<td>9,029,197.60</td>
</tr>
<tr>
<td>01/07/09 to 30/06/10</td>
<td>9,046,374.38</td>
</tr>
<tr>
<td>01/07/10 to 30/06/11</td>
<td>8,985,156.71</td>
</tr>
<tr>
<td>01/07/11 to 22/08/11</td>
<td>1,316,259.30</td>
</tr>
</tbody>
</table>

Note: The above figures include airfares (both domestic and overseas) Travelling Allowance (including Motor Vehicle Allowance) claims, and travel by taxis and hire cars.

2. The total amount of travelling allowance paid to personal staff of ministers and parliamentary secretaries is:

<table>
<thead>
<tr>
<th>Period</th>
<th>Ministers</th>
<th>Parliamentary Secretaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>03/12/07 to 30/06/08</td>
<td>$1,481,488.05</td>
<td>$121,655.53</td>
</tr>
<tr>
<td>01/07/08 to 30/06/09</td>
<td>$3,081,728.24</td>
<td>$224,254.51</td>
</tr>
<tr>
<td>01/07/09 to 30/06/10</td>
<td>$3,632,545.48</td>
<td>$284,869.71</td>
</tr>
<tr>
<td>01/07/10 to 30/06/11</td>
<td>$4,785,594.49</td>
<td>$318,450.44</td>
</tr>
<tr>
<td>01/07/11 to 22/08/11</td>
<td>$484,401.54</td>
<td>$40,446.40</td>
</tr>
</tbody>
</table>
Tertiary Education, Skills, Jobs and Workplace Relations
(Question No. 1031)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

Has the department engaged the services of a call centre from Excelion P/L; if so:
(a) for what reason was it deemed that the department required a call centre;
(b) where are the centre operators based;
(c) what services does the centre provide to the department and were these services previously performed 'in-house' by the department; and
(d) what is the cost and length of the contract.

Senator Chris Evans: The answer to the honourable senator's question is as follows:
No, the department has not engaged the services of a call centre from Excelion P/L.

Tertiary Education, Skills, Jobs and Workplace Relations
(Question No. 1033)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

(1) Has the department contracted a firm to provide a media plan for the Young Worker Toolkit.
(2) What are the anticipated outcomes of the plan.
(3) What was the cost of the plan.
(4) How many staff in the department are engaged to provide media and communications services.
(5) Why were these services contracted out rather than done in-house.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

(1) The department used the services of the master placement agency Universal McCann to provide a media plan involving advertising on social media websites and the distribution of Avant Cards to youth-related networks to inform young people about the Young Worker Toolkit. All departments and agencies subject to the Financial Management and Accountability Act 1997 are required to place their communication advertising through Universal McCann.

(2) The objective of the media plan is to inform teenagers and young adults about the Young Worker Toolkit. This is a web-based resource optimised for smart phone use which informs young people of their rights and obligations under the Fair Work Act 2009 and to assist them with employment issues.

The media plan covers the period July 2011 to January 2012 and involves advertising on Facebook and Nine MSN websites, and distribution of Avant Cards. The advertising takes place in three tranches:

- July 2011 – to coincide with the launch of the Young Worker Toolkit website
- November 2011 – to coincide with the end of the 2011 school year
- January 2012 – to coincide with the commencement of the 2012 school year

(3) The total cost of the advertising activity covered by the media plan, including the development and distribution of Avant Cards, is $75,977.20 GST inclusive.

(4) One departmental employee dedicates approximately 20 percent of a full-time workload to managing communication activities for the Young Worker Toolkit.

(5) The department used Universal McCann because it is a requirement that Australian Government agencies contract media buying services through this agency.
Climate Change and Energy Efficiency
(Question No. 1035)

Senator Abetz asked the Minister representing the Minister for Climate Change and Energy Efficiency, upon notice on 29 August 2011:

Has the Department conducted or commissioned an assessment of fugitive emissions from landfills. If so,

(a) what were the results and recommendations from any assessment; and
(b) how has the Government responded to any of the recommendations.

Senator Wong: The Minister for Climate Change and Energy Efficiency has provided the following answer to the honourable senator's question:

The Department commissioned, on 16 May 2011, a consultant to conduct a study into fugitive emissions from landfills using data held by landfill operators based on measurements made over the last three years.

The study was initiated following a workshop with industry held in November 2010. The aim of the study is to provide input into the development of a more simplified approach to the 'higher order' method of emissions measurement currently available to facilities with methane capture systems in place.

The study concludes that the data collected from landfill operators could be used to simplify the existing 'higher order' measurement method available to the industry.

The Department is currently conducting further consultations with industry on how to operationalise the results of the study.

The Government's response to the study's findings will be incorporated into an amendment to the National Greenhouse and Energy Reporting (Measurement) Determination, scheduled for exposure release in November 2011.

Attorney-General
(Question No. 1037)

Senator Abetz asked the Minister representing the Attorney-General, upon notice, on 29 August 2011:

Has the department contracted the services of Incept Labs for the development of a list of research projects; if so:

(a) why were these services required;
(b) what was the brief given to Incept Labs;
(c) why was a list of projects developed; and
(d) at what level was the procurement of services authorised.

Senator Ludwig: The Attorney-General has provided the following answer to the honourable senator's question:

(a) The Australian Government's Critical Infrastructure Resilience Strategy (the Strategy) was released in June 2010, articulating two key policy objectives:
   (i) Critical infrastructure owners and operators (including the Australian Government) are effective in managing foreseeable risks to the continuity of their operations, through an intelligence and information led, risk informed approach; and
(ii) Critical infrastructure owners and operators enhance their capacity to manage unforeseen or unexpected risk to the continuity of their operations, through an organisational resilience approach.

This second objective is a new body of work and a new concept for Australian business, including owners and operators of critical infrastructure. It is important that owners and operators are provided with guidance on organisational resilience to develop a common understanding of the concept, and a shared objective – that of the overall resilience of Australia's critical infrastructure to all hazards.

Therefore, as one of the projects under the Strategy, the Attorney-General's Department procured the services of Incept Labs Pty Ltd (Incept) to investigate the breadth of research and analysis currently available on organisational resilience and, through consultation with key critical infrastructure stakeholders, develop a list of future research projects that would help to fill knowledge and information gaps in this policy area. Incept was also required to conduct a feasibility study into options for an organisational resilience mentoring program which would serve to propagate a common understanding of and practice in organisational resilience, and a business awards program to recognise business excellence in this area.

(b) Incept was required to interview up to 50 (fifty) CEOs to determine their understanding of organisational resilience and identify gaps in this understanding which would translate to possible future research projects. In addition, Incept was to undertake an environmental scan of research institutions conducting research into fields related to organisational resilience, and consult with research funding bodies to explore and identify avenues to progress organisational resilience-related research projects. Further, Incept was asked to review existing business awards and mentoring programs to assess the feasibility of developing similar stand alone programs to promote the concept and practice of organisational resilience.

(c) The interviews with CEOs could be considered baseline research to assess the level of understanding Australian CEOs have regarding the relatively new concept of organisational resilience. Through this process, gaps in CEO understanding of the concept can be identified, and projects can then be developed in a targeted way to fill these gaps. In this way, the list of projects identified by Incept contributes to Strategic Imperative 2 of the Strategy: Develop and promote an organisational resilience body of knowledge and common understanding of organisational resilience.

(d) The procurement of services was authorised at the Assistant Secretary (SES1) level.

Attorney-General

(Question No. 1038)

Senator Abetz asked the Minister representing the Attorney-General, upon notice, on 29 August 2011:

Has the department contracted the services of GfK Blue Moon Research for market research; if so:

(a) what is the market research on;
(b) what is the brief for the market research;
(c) why were the services acquired by a 'select' procurement method and who authorised this;
(d) who suggested the company;
(e) why was this company chosen; and
(f) what will be the cost of this market research.

Senator Ludwig: The Attorney-General has provided the following answer to the honourable senator's question:

(a) The Countering Violent Extremism (CVE) Branch in the Attorney-General's Department has commissioned independent market research to benchmark current awareness and attitudes among the Australian public about violent extremism, and to build understanding of how key audiences are likely
to respond to communication activities. Countering violent extremism is a complex issue and a sensitive topic for many communities. This research will inform and provide strategic guidance to CVE communication activities, programs and initiatives.

(b) The market research brief sought developmental and benchmarking research to inform the communication activities for the Department's CVE Program.

(c) In keeping with government policy and requirements under the Financial Management and Accountability Act 1997 (FMA Act), a shortlist of suppliers was identified from the Australian Government’s Communications Multi Use List (CMUL) and invited to tender. This select tendering method was authorised by the First Assistant Secretary of the National Security Law and Policy Division.

(d) Six market research companies were invited to submit proposals. These companies were recommended by the Communications Advice Branch, Department of Finance and Deregulation, from their Communications Multiuse List database of suppliers to identify a list of market research companies that have the requisite skills and experience to undertake the research.

(e) Of the six companies recommended by the Department of Finance and Deregulation, five companies submitted proposals and GfK Blue Moon was selected following a detailed assessment process. The proposals were assessed against the criteria of: understanding of the tender brief; research methodology; project plan; skills, experience and qualifications; and value for money. The Communications Advice Branch in Finance was also represented on the assessment panel.

(f) The expected cost of the research, including developmental research, benchmarking and concept testing is $294,363 excluding GST.

Fair Work Australia
(Question No. 1042)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

Do any staff at Fair Work Australia receive myki cards for railway transportation; if so:

(a) at what level are those staff engaged;
(b) for what purpose are the cards to be used;
(c) how many staff: (i) have access to the cards, and (ii) use the cards.
(d) what is the total cost of the cards and for what period does this cover.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

Myki cards are part of the ticketing system used for travel on Melbourne's public transport system. Myki is a smartcard where monetary amounts or periodical fares, for example, yearly passes, are stored enabling myki holders to use the public transport system. The Transport Ticketing Authority in Melbourne has a 'Commuter Club' scheme which enables myki 365 day (yearly) passes to be purchased corporately offering a 10% discount off the retail price of the pass.

FWA will pay for the purchase of the periodic ticket e.g. yearly ticket and the employee repays the amount to FWA through after-tax deductions from their fortnightly pay over the period of the travel e.g. 12 months for a yearly ticket.

(a) Fair Work Australia provides ongoing employees, and non-ongoing employees with an employment contract of at least 12 months, the opportunity to participate in the transport fares assistance scheme.

(b) The myki cards are used for travel by Melbourne based employees.
(c) (i) Approximately 210 employees in Melbourne were eligible to participate in the transport fares assistance scheme during 2010-11

(ii) FWA purchased 71 myki cards for employees in 2010-11

(d) In the 2010-2011 financial year, the total cost of the myki's cards purchased from the Transport Ticketing Authority was $88,528.05. Noting that this amount is to be repaid by staff over the course of the twelve month (12) period. Each myki purchased contains a 365 day (yearly) pass.

**Prime Minister and Cabinet: Code of Conduct Investigations**

*(Question Nos 1043, 1048, 1065, 1067, 1072 and 1082)*

Senator Abetz asked the Minister representing the Prime Minister, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Ministers portfolio for the financial years: (a) 2010-11; and (b) 2011 to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Chris Evans: The Prime Minister has provided the following answer to the honourable senator's question:

The following answers represent all departments and agencies within the Prime Minister's portfolio. The answers include investigations undertaken by the Public Service Commissioner in fulfilment of his statutory responsibilities.

(1) (a) and (b)—

| Investigations completed in 2010-11 | 11 |
| Investigations completed 1 July 2011 to 29 August 2011 | 2 |

(2) (a)—

| 2010-11 investigations that established a breach of the Code of Conduct | 7 |
| 1 July 2011 to 29 August 2011 investigations that established a breach of the Code of Conduct | 0 |

(b)—

| 2010-11 investigations that did not establish a breach of the Code of Conduct | 4 |
| 1 July 2011 to 29 August 2011 investigations that did not establish a breach of the Code of Conduct | 2 |

(3)—

<table>
<thead>
<tr>
<th>Element of the Code of Conduct</th>
<th>Number of employees investigated</th>
</tr>
</thead>
<tbody>
<tr>
<td>At all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS</td>
<td>6</td>
</tr>
<tr>
<td>Comply with any lawful and reasonable direction given by someone in the employee's agency who has authority to give the direction</td>
<td>2</td>
</tr>
<tr>
<td>Use Commonwealth resources in a proper manner</td>
<td>4</td>
</tr>
<tr>
<td>Behave honestly and with integrity in the course of APS employment</td>
<td>4</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Element of the Code of Conduct</th>
<th>Number of employees investigated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010-2011</td>
</tr>
<tr>
<td>When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment</td>
<td>5</td>
</tr>
<tr>
<td>When acting in the course of APS employment, comply with all applicable Australian laws</td>
<td>1</td>
</tr>
<tr>
<td>Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment</td>
<td>2</td>
</tr>
<tr>
<td>Not make improper use of: inside information, or the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person</td>
<td>1</td>
</tr>
<tr>
<td>Maintain appropriate confidentiality about dealings that the employee has with any minister or minister's member of staff</td>
<td>1</td>
</tr>
</tbody>
</table>

(4)—

<table>
<thead>
<tr>
<th>Outcome of investigation</th>
<th>Number of employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2010-2011</td>
</tr>
<tr>
<td>Reprimand</td>
<td>4</td>
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<tr>
<td>Deductions from salary by way of a fine</td>
<td>1</td>
</tr>
<tr>
<td>Investigation discontinued because of resignation of employee under investigation</td>
<td>2</td>
</tr>
<tr>
<td>Reduction in salary</td>
<td>1</td>
</tr>
<tr>
<td>Employee counselled</td>
<td>1</td>
</tr>
<tr>
<td>Breach found but no sanction imposed</td>
<td>2</td>
</tr>
<tr>
<td>No breach found</td>
<td>1</td>
</tr>
</tbody>
</table>

(5) There were six ongoing investigations on 29 August 2011.


*(Question Nos 1045, 1057, 1070 and 1073)*

**Senator Abetz** asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Minister representing the Minister for School Education, Early Childhood and Youth, Minister representing the Minister for Employment Participation and Childcare and Minister representing the Minister for Indigenous Employment and Economic Development, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.
Senator Chris Evans: The answer to the honourable senator's question is as follows:

(1) (a) A total of 11 Code of Conduct investigations were conducted in the Department of Education, Employment and Workplace Relations during the 2010-2011 financial year. (b) A total of two Code of Conduct investigations have been conducted in the Department of Education, Employment and Workplace Relations in the current financial year.

(2) (a) Five of the 11 investigations in 2010-2011 established a breach of the Code of Conduct. (b) Six of the 11 investigations in 2010-2011 established no breach of the Code of Conduct.

(3) The following provisions of the Code of Conduct were thought to have been breached for each case:

<table>
<thead>
<tr>
<th>Case</th>
<th>Provisions of the Code of Conduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>13 (1), (3), (8), (11)</td>
</tr>
<tr>
<td>2</td>
<td>13 (3)</td>
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<td>3</td>
<td>13 (1), (2), (7), (10), (11)</td>
</tr>
<tr>
<td>4</td>
<td>13 (1), (4), (9), (11)</td>
</tr>
<tr>
<td>5</td>
<td>13 (1), (2), (4), (10), (11)</td>
</tr>
<tr>
<td>6</td>
<td>13 (3), (4), (11)</td>
</tr>
<tr>
<td>7</td>
<td>13 (1), (2), (3), (7), (10), (11)</td>
</tr>
<tr>
<td>8</td>
<td>13 (5), (8)</td>
</tr>
<tr>
<td>9</td>
<td>13 (1), (3), (11)</td>
</tr>
<tr>
<td>10</td>
<td>13 (1), (2), (8), (11)</td>
</tr>
<tr>
<td>11</td>
<td>13 (1), (3), (11)</td>
</tr>
<tr>
<td>12</td>
<td>13 (1), (10), (11)</td>
</tr>
<tr>
<td>13</td>
<td>13 (1), (5), (11)</td>
</tr>
</tbody>
</table>

(4) The following sanctions were applied where the investigation established that the Code of Conduct was breached:

<table>
<thead>
<tr>
<th>Case</th>
<th>Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No breach</td>
</tr>
<tr>
<td>2</td>
<td>Reprimand, fine</td>
</tr>
<tr>
<td>3</td>
<td>No breach</td>
</tr>
<tr>
<td>4</td>
<td>No breach</td>
</tr>
<tr>
<td>5</td>
<td>No breach</td>
</tr>
<tr>
<td>6</td>
<td>Termination</td>
</tr>
<tr>
<td>7</td>
<td>Reprimand</td>
</tr>
<tr>
<td>8</td>
<td>Reprimand, fine</td>
</tr>
<tr>
<td>9</td>
<td>No breach</td>
</tr>
<tr>
<td>10</td>
<td>Reprimand, fine</td>
</tr>
<tr>
<td>11</td>
<td>No breach</td>
</tr>
<tr>
<td>12</td>
<td>Ongoing</td>
</tr>
<tr>
<td>13</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

(5) Two Code of Conduct investigations are ongoing.

Innovation, Industry, Science and Research: Code of Conduct Investigations

(Question No. 1058)

Senator Abetz asked the Minister for Innovation, Industry, Science and Research, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years (a) 2010-11; and (b) 2011- to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.
(4) What penalties were applied where the Code of Conduct was broken.
(5) How many investigations are ongoing.

Senator Carr: The answer to the honourable senator's question is as follows:
(1) (a) Four completed cases, (b) Nil.
(2) (a) Two, (b) One.
(3) Case 1. s13 (1), s13 (5), s13 (8), s13 (10).
Case 2. s13 (2), s13 (11).
Case 3. s13 (1), s13 (4), s13 (5), s13 (8), s13 (9), s13 (10).
Case 4. s13 (3).
(4) (a) Fine, (b) Reduction in salary.
(5) One.

Agriculture, Fisheries and Forestry
(Question No. 1060)

Senator Abetz asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 29 August 2011:
(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.
(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.
(3) In each case, what provisions of the Code of Conduct were thought to have been breached.
(4) What penalties were applied where the Code of Conduct was broken.
(5) How many investigations are ongoing.

Senator Ludwig: The answer to the honourable senator's question is as follows:
(1) (a) During the period 1 July 2010 to 30 June 2011, there were 22 finalised misconduct investigations. (b) During the period 1 July 2011 to 31 August 2011, there were 3 finalised misconduct investigations.
(2) For the period 1 July 2010 to 30 June 2011:
(a) 15 investigations established a breach of the APS Code of Conduct.
(b) 7 investigations established no breach of the APS Code of Conduct.
For the period 1 July 2011 to 31 August 2011:
(a) 2 investigations established a breach of the APS Code of Conduct.
(b) 1 investigation established no breach of the APS Code of Conduct.
(3) For the period 1 July 2010 to 30 June 2011 the following elements of the Code found to have been breached were:

<table>
<thead>
<tr>
<th>Elements of Code of Conduct</th>
<th>Number of employees found to have breached this element*#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 13(1) Behave honestly and with integrity in the course of APS employment</td>
<td>5</td>
</tr>
<tr>
<td>Section 13(2) Act with care and diligence in the course of APS employment</td>
<td>7</td>
</tr>
<tr>
<td>Section 13(3) When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment</td>
<td>9</td>
</tr>
</tbody>
</table>
### Elements of Code of Conduct

<table>
<thead>
<tr>
<th>Element of Code of Conduct</th>
<th>Number of employees found to have breached this element*#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 13(1) Behave honestly and with integrity in the course of APS employment</td>
<td>2</td>
</tr>
<tr>
<td>Section 13(2) Act with care and diligence in the course of APS employment</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(3) When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(4) When acting in the course of APS employment, comply with all applicable Australian laws</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(5) Comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction</td>
<td>5</td>
</tr>
<tr>
<td>Section 13(6) Maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(7) Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(8) Use Commonwealth resources in a proper manner</td>
<td>3</td>
</tr>
<tr>
<td>Section 13(9) Not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment</td>
<td>1</td>
</tr>
<tr>
<td>Section 13(10) Not make improper use of:</td>
<td></td>
</tr>
<tr>
<td>Inside information</td>
<td>0</td>
</tr>
<tr>
<td>The employee's duties, status, power or authority</td>
<td></td>
</tr>
<tr>
<td>In order to gain, or seek to gain, a benefit or advantage for the employee or for any other person</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(11) At all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS.</td>
<td>13</td>
</tr>
<tr>
<td>Section 13(12) While on duty overseas, at all times behave in a way that upholds the good reputation of Australia</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(13) Comply with any other conduct requirements that is prescribed by the regulations</td>
<td>0</td>
</tr>
</tbody>
</table>

* An individual employee can be counted against more than one element of the Code of Conduct
# 1 employee was subject to 2 separate investigations.

For the period 1 July 2011 to 31 August 2011, the following elements of the Code found to have been breached were:

<table>
<thead>
<tr>
<th>Elements of Code of Conduct</th>
<th>Number of employees found to have breached this element*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 13(1) Behave honestly and with integrity in the course of APS employment</td>
<td>2</td>
</tr>
<tr>
<td>Section 13(2) Act with care and diligence in the course of APS employment</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(3) When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(4) When acting in the course of APS employment, comply with all applicable Australian laws</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(5) Comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(6) Maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff</td>
<td>0</td>
</tr>
<tr>
<td>Section 13(7) Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment</td>
<td>0</td>
</tr>
</tbody>
</table>
### Elements of Code of Conduct

<table>
<thead>
<tr>
<th>Number of employees found to have breached this element*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>of interest (real or apparent) in connection with APS employment</strong></td>
</tr>
<tr>
<td>Section 13(8) Use Commonwealth resources in a proper manner</td>
</tr>
<tr>
<td>Section 13(9) Not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment</td>
</tr>
<tr>
<td><strong>Section 13 (10) Not make improper use of:</strong></td>
</tr>
<tr>
<td>Inside information</td>
</tr>
<tr>
<td>The employee's duties, status, power or authority</td>
</tr>
<tr>
<td>In order to gain, or seek to gain, a benefit or advantage for the employee or for any other person</td>
</tr>
<tr>
<td>Section 13(11) At all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS.</td>
</tr>
<tr>
<td>Section 13(12) While on duty overseas, at all times behave in a way that upholds the good reputation of Australia</td>
</tr>
<tr>
<td>Section 13(13) Comply with any other conduct requirements that is prescribed by the regulations</td>
</tr>
</tbody>
</table>

* An individual employee can be counted against more than one element of the Code of Conduct

(4) For the period 1 July 2010 to 30 June 2011, the following sanctions were imposed:

<table>
<thead>
<tr>
<th>Sanction Imposed</th>
<th>Outcome*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Termination of employment</td>
<td>2</td>
</tr>
<tr>
<td>Reduction in classification</td>
<td>1</td>
</tr>
<tr>
<td>Re-assignment of duties</td>
<td>0</td>
</tr>
<tr>
<td>Reduction in salary</td>
<td>0</td>
</tr>
<tr>
<td>Deductions from salary by way of fine</td>
<td>2</td>
</tr>
<tr>
<td>Reprimand</td>
<td>6</td>
</tr>
<tr>
<td>Breach found but no sanction imposed</td>
<td>5</td>
</tr>
<tr>
<td>No breach found</td>
<td>4</td>
</tr>
<tr>
<td>Resignation prior to breach being determined</td>
<td>1</td>
</tr>
<tr>
<td>Termination during probation</td>
<td>1</td>
</tr>
</tbody>
</table>

* An individual employee can incur one or more outcome (sanction)

For the period 1 July 2011 to 31 August 2011, the following sanctions were imposed:

<table>
<thead>
<tr>
<th>Sanction Imposed</th>
<th>Outcome*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Termination of employment</td>
<td>1</td>
</tr>
<tr>
<td>Reduction in classification</td>
<td>0</td>
</tr>
<tr>
<td>Re-assignment of duties</td>
<td>0</td>
</tr>
<tr>
<td>Reduction in salary</td>
<td>0</td>
</tr>
<tr>
<td>Deductions from salary by way of fine</td>
<td>0</td>
</tr>
<tr>
<td>Reprimand</td>
<td>1</td>
</tr>
<tr>
<td>Breach found but no sanction imposed</td>
<td>0</td>
</tr>
<tr>
<td>No breach found</td>
<td>1</td>
</tr>
<tr>
<td>Resignation prior to breach being determined</td>
<td>0</td>
</tr>
</tbody>
</table>

* An individual employee can incur one or more outcome (sanction)

(5) As at 31 August 2011, there were 10 ongoing misconduct investigations.
**Human Services**

(Question No. 1066)

**Senator Abetz** asked the Minister representing the Minister for Human Services, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

**Senator Arbib:** The answer to the honourable senator's question is as follows:

(1) (a) For 2010-11 the Department of Human Services (Medicare Australia, Centrelink, Commonwealth Rehabilitation Service and the Department of Human Services) finalised 196 Code of Conduct investigations. (b) From 1 July 2011 to 29 August 2011 there were 11 finalised cases.

(2) (a) Of the 207 finalised investigations (2010-11 and up to 29 August 2011), 194 employees were found to have breached the Code of Conduct. (b) Of the 207 finalised investigations 13 employees were found not to have breached the Code of Conduct.

(3)

<table>
<thead>
<tr>
<th>Elements of the Code of Conduct</th>
<th>Employees investigated for suspected breach(es) of this element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Behave honestly and with integrity in the course of APS employment (s.13(1))</td>
<td>116</td>
</tr>
<tr>
<td>Act with care and diligence in the course of APS employment (s. 13(2))</td>
<td>99</td>
</tr>
<tr>
<td>When acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment (s. 13(3))</td>
<td>42</td>
</tr>
<tr>
<td>When acting in the course of APS employment, comply with all applicable Australian laws (s. 13(4))</td>
<td>71</td>
</tr>
<tr>
<td>Comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction (s. 13(5))</td>
<td>90</td>
</tr>
<tr>
<td>Maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff (s. 13(6))</td>
<td>2</td>
</tr>
<tr>
<td>Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment (s. 13(7))</td>
<td>63</td>
</tr>
<tr>
<td>Use Commonwealth resources in a proper manner (s. 13(8))</td>
<td>58</td>
</tr>
<tr>
<td>Not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment (s. 13(9))</td>
<td>8</td>
</tr>
<tr>
<td>Not make improper use of: inside information, or the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person (s. 13(10))</td>
<td>36</td>
</tr>
<tr>
<td>At all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS (s. 13(11))</td>
<td>146</td>
</tr>
</tbody>
</table>

*Individual employees can be suspected of breaching several elements*

(4) The following penalties were applied where the Code of Conduct was broken:  

---

QUESTIONS ON NOTICE
• Termination of employment
• Reduction in classification
• Re-assignment of duties
• Reduction in salary
• Deductions in salary by way of a fine
• Reprimand
• Investigation discontinued because of resignation of employee under investigation
• Employee counselled

(5) As at 29 August 2011 there are 133 ongoing cases.

Small Business: Code of Conduct Investigations
(Question No. 1075)
Senator Abetz asked the Minister for Small Business, upon notice, on 29 August 2011:
(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years (a) 2010-11; and (b) 2011- to date.
(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.
(3) In each case, what provisions of the Code of Conduct were thought to have been breached.
(4) What penalties were applied where the Code of Conduct was broken.
(5) How many investigations are ongoing.

Senator Sherry: The answer to the honourable senator's question is as follows:
Please refer to the answer provided to Senate Parliamentary Question on Notice 1058.

Special Minister of State: Staffing
(Question No. 1089)
Senator Abetz asked the Minister representing the Special Minister of State, upon notice, on 6 September 2011:
With reference to the answer to question on notice no. 846 which refers to the 'structure of staff' within an office' and not whether any 'direction or advice' was offered, can the following information be provided: Has the Caucus Communications Team or anyone in the Caucus Communications Team offered any direction or advice to ministers on how to structure their media staff: if so:
(a) who offered direction or advice and to which Ministers; and
(b) what advice was given.

Senator Wong: The Special Minister of State has provided the following answer to the honourable senator's question:
(a) and (b) Direction and advice surrounding the employment of media staff are matters for the employing Ministers and their Chiefs of Staff.

Treasury: Accommodation
(Question No. 1091)
Senator Cormann asked the Minister representing the Treasurer, upon notice, on 6 September 2011:
(1) What is the actual location, including the full street address, of each premises occupied by the department.
(2) In relation to each of the premises referred to in (1), are these premises:
   (a) owned by the Commonwealth; or
   (b) rented.
(3) What is the actual amount of space in square metres occupied by, or allocated to the department at each of the premises.
(4) What is the actual amount of space in square metres occupied by, or allocated to, the Commonwealth Government at each of the premises.
(5) For each of the premises that are owned by the Commonwealth:
   (a) what was the total purchase price of these premises and what was the purchase date;
   (b) what amount has been allocated as building depreciation from the date of purchase to the current date; and
   (c) what is the estimated current market value of these premises and on what basis has this market value been calculated or derived.
(6) For each of the premises that are rented, what are the current lease terms including:
   (a) the date the lease was entered into;
   (b) the current expiry date of the lease;
   (c) any further options available under the lease;
   (d) the rental amount payable per square metre on an annual basis; and
   (e) the total rental amount payable for the premises on an annual basis.
(7) When is the next rental review due and on what basis will any new rental be determined.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

(1) Australia
   a. The Treasury Building (A, C & E Block), Langton Cres Parkes ACT 2600.
   b. The Treasury Building (B & D Block), Langton Cres Parkes ACT 2600.
   c. MTAA House, Level 1, 39 Brisbane Avenue Barton ACT 2600.
   d. MLC Building, Level 42, 19 Martin Place Sydney NSW 2000.
   e. Level 10, 63 Exhibition Street Melbourne VIC 3000.
Overseas
   f. Apartment D1503 Eastlake Villas, 35 Dongzhimenwai Main Street, Beijing, 100027, China.
   g. Australian Embassy, 21 Dongzhimenwai Main Street, Beijing, 100027, China.
   i. Australian Embassy, Jalan HR Rasuna Said Jakarta, Indonesia.
   k. A22, Third Floor, West End, New Delhi, 110 021, India.
   l. Australian High Commission, 1/50 Chanakya Puri, Plot 1, Block 50G, New Delhi, India.
   m. Apartment 3, Australian Embassy, 4 Rue Jean Rey, Paris, France.
   n. Australian Embassy, 4 Rue Jean Rey, Paris, France.
   o. Apartment 262, 1-14, 2 Chrome Mita, Minato-ku, Tokyo, Japan.
q. 2710 31st Place NW, Cleveland Ave, Washington, USA.
r. Australian Embassy, 1601 Massachusetts Avenue NW Washington, USA.

(2) **Australia**

a. Owned by Commonwealth.
b. Owned by Commonwealth.
c. Rented.
d. Rented.
e. Rented.

**Overseas**

f. Rented.
g. Owned by Commonwealth.
h. Rented.
i. Owned by Commonwealth.
j. Owned by Commonwealth.
k. Rented.
l. Owned by Commonwealth.
m. Owned by Commonwealth.
n. Owned by Commonwealth.
o. Owned by Commonwealth.
p. Owned by Commonwealth.
q. Owned by Commonwealth.
r. Owned by Commonwealth.

(3) **Australia**

a. 18,587m².
b. 762m².
c. 641m².
d. 92m².
e. 253m².

**Overseas**

f. Not Available (Residential Lease).
g. 52.9m².
h. Not Available (Residential Lease).
i. 46m².
j. 54.4m².
k. Not Available (Residential Lease).
l. 38.1m².
m. Not Available (Residential Lease).
n. 35.1m².
o. Not Available (Residential Lease).
p. 44.4m².
q. Not Available (Residential Lease).
r. 100.6m².
(4) This is a question for the Department of Finance and Deregulation, being the building owner.
(5) This is a question for the Department of Finance and Deregulation, being the building owner.
(6) **Australia**
   (a) — Lease Start: 22/12/2000.
      — Lease End: 21/12/2015.
      — Options: No Option.
      — Annual Rent per m² Office (16,538m²): $370 per m² (Ex GST).
      — Annual Rent Non Air conditioned storage (447m²) — $150 per m² (Ex GST).
      — Annual Rent Air conditioned storage (1,337m²) — $175 per m² (Ex GST).
      — Annual Rent Café area (265m²) — $370 per m²
      — Total Annual Rent: $6,518,135 (Ex GST).
   (b) — Lease Start: 01/01/2008.
      — Lease End: 21/12/2015.
      — Options: Further option until 7/03/2017.
      — Annual Rent per m²: $390 per m² (Ex GST).
      — Total Annual Rent: $297,180 (Ex GST).
   (c) — Lease Start: 14/03/2010.
      — Lease End: 13/03/2012.
      — Options: Further 3 year option until 13/03/2015.
      — Annual Rent per m²: $461.23 per m² (Ex GST).
      — Total Annual Rent: $295,650.66 (Ex GST).
   (d) — Lease Start: 01/09/2010.
      — Lease End: 31/08/2012.
      — Options: No Option.
      — Annual Rent per m²: $861 per m² (Ex GST).
      — Total Annual Rent: $79,212 (Ex GST).
   (e) — Lease Start: 15/01/2009.
      — Lease End: 14/01/2013.
      — Options: Further 4 year option until 14/01/2017.
      — Annual Rent per m²: $335.30 per m² (Ex GST).
      — Total Annual Rent: $84,931.49 (Ex GST).
**Overseas**
   (f) — Lease Start: 21/01/2010.
      — Lease End: 20/01/2012.
      — Options: No Option.
—Annual Rent per m²: N/A.
—Total Annual Rent: $115,296 (No GST).

(g) —Lease Start: 01/07/2008.
—Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $702.12 per m² (No GST).
—Total Annual Rent: $37,142.28 (No GST).

(h) —Lease Start: 17/12/2008.
—Lease End: 16/12/2011.
—Options: No Option.
—Annual Rent per m²: N/A.
—Total Annual Rent: $42,000 USD (Ex GST).

(i) —Lease Start: 01/07/2008.
—Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $392.19 per m² (No GST).
—Total Annual Rent: $18,040.54 (No GST).

—Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $1,061.21 per m² (No GST).
—Total Annual Rent: $57,729.72 (No GST).

(k) —Lease Start: 15/07/2011.
—Lease End: 14/07/2012.
—Options: Further 2 year option until 14/07/2014.
—Annual Rent per m²: N/A.
—Total Annual Rent: $114,170 (Ex GST).

(l) —Lease Start: 01/07/2011.
—Lease End: 30/07/2013.
—Options: No Option.
—Annual Rent per m²: $1,138.10 per m² (No GST).
—Total Annual Rent: $43,361.66 (No GST).

(m) —Lease Start: 1/07/2011.
—Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: N/A.
—Total Annual Rent: $133,691 (No GST).

(n) —Lease Start: 01/07/2008.
—Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $1,172.73 per m² (No GST).
—Total Annual Rent: $41,162.76 (No GST).
(o) — Lease Start: 01/01/2009.
— Lease End: 30/06/2011. (Currently on month to month).
—Options: No Option.
—Annual Rent per m²: N/A.
—Total Annual Rent: $225,000 (No GST).
(p) — Lease Start: 01/07/2008.
— Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $2,103.30 per m² (No GST).
—Total Annual Rent: $93,386.30 (No GST).
(q) — Lease Start: 01/09/2006.
— Lease End: 31/08/2011. (Currently on month to month).
—Options: No Option.
—Annual Rent per m²: N/A
—Total Annual Rent: $160,000 (Ex GST).
(r) — Lease Start: 01/07/2008.
— Lease End: 30/06/2013.
—Options: No Option.
—Annual Rent per m²: $611.83 per m² (Ex GST).
—Total Annual Rent: $61,550.06 (Ex GST).

(7) Australia
(a) Market rent review – due 22/12/2012.
(b) Market rent review – due 6/9/2013.
(c) Market rent review—due 14/3/2012 (If option is taken up).
(d) Market rent review—due 1/9/2012 (If new lease is taken up).
(e) Fixed rent increase of 4%—due 15/1/2012.

Overseas
f. Market rent review – due 21/1/2012 (If new lease is taken up).
g. Fixed rent increase of 2%—due 1/7/2012.
h. Market rent review – due 17/12/2011 (If new lease is taken up).
i. Fixed rent increase of 2%—due 1/7/2012.
j. Fixed rent increase of 2%—due 1/7/2012.
k. Fixed rent increase of 8.5% (Per exchange rate)—due 15/7/2012 (If option is taken up).
l. Fixed rent increase of 3%—due 1/7/2012.
m. Fixed rent rate. No increases for term.
n. Fixed rent increase of 2%—due 1/7/2012.
o. Market rent review – due 31/10/2011.
p. Fixed rent increase of 2%—due 1/7/2012.
q. Market rent review – due 31/10/2011.
r. Fixed rent increase of 2%—due 1/7/2012.

Treasury
(Question No. 1092)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 6 September 2011:

(1) What was the total expenditure of the department for the 2010-11 financial year in relation to:
   (a) advertising;
   (b) air travel within Australia in business class;
   (c) air travel within Australia in economy class;
   (d) air travel within Australia by charter flight;
   (e) air travel outside Australia in first class;
   (f) air travel outside Australia in business class;
   (g) air travel outside Australia in economy class;
   (h) air travel outside Australia by charter flight;
   (i) hospitality and entertainment;
   (j) information and communications technology (ICT) costs generally;
   (k) ICT costs to external providers;
   (l) external consultants generally;
   (m) external accounting services;
   (n) external auditing services;
   (o) external legal services; and
   (p) memberships or grants paid to affiliate organisations.

(2) In relation to each of the items referred to in question 1, what is the budgeted total expenditure for the 2011-12 financial year.

Senator Wong: The Treasurer has provided the following answers to the honourable senator's question:

(1) The total expenditure of the department for the 2010-11 financial year in relation to the following categories is as follows.
   
   (a) advertising 1 
   $7.35 million 
   (b) air travel within Australia in business class 
   $0.62 million 
   (c) air travel within Australia in economy class 
   $0.66 million 
   (d) air travel within Australia by charter flight 
   Nil 
   (e) air travel outside Australia in first class 
   $0.06 million 
   (f) air travel outside Australia in business class 
   $1.66 million 
   (g) air travel outside Australia in economy class 
   $0.02 million 
   (h) air travel outside Australia by charter flight 
   Nil 

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(i) hospitality and entertainment $0.09 million
(j) information and communications technology (ICT) costs generally $9.11 million
(k) ICT costs to external providers $4.75 million
(l) external consultants generally $7.15 million
(m) external accounting services $0.02 million
(n) external auditing services $0.38 million
(o) external legal services $1.85 million
(p) memberships $0.03 million

(2) In relation to each of the items referred to in question 1, the budgeted total expenditure for the 2011-12 financial year are as follows:
(a) advertising $13.66 million
(b) to (d) air travel within Australia $1.20 million
(e) to (g) air travel outside Australia $1.50 million
(h) air travel outside Australia by charter flight Nil
(i) hospitality and entertainment $0.08 million
(j) information and communications technology (ICT) costs generally $9.05 million
(k) ICT costs to external providers $4.70 million
(l) external consultants generally $5.80 million
(m) external accounting services $0.01 million
(n) external auditing services $0.79 million
(o) external legal services $1.70 million
(p) memberships $0.03 million

Notes:
1. Figure includes all expenditure on campaign advertising. Where advertising related services are delivered by consultants, this expenditure will be reflected in the answer to both parts (a) and (l).
2. Figure excludes resources received free of charge from the Australian National Audit Office.
3. The Treasury did not pay any grants to affiliated organisations in 2010-11.
4. Figure includes planned expenditure on campaign advertising and consultancies for campaign advertising.
5. Budgets are not broken down by class of travel, total budgeted expenditure has been given for air travel within Australia and air travel outside Australia.
6. Budget does not include any consultants who may provide advertising related services.
7. The Treasury does not have a budget for grants to affiliated organisations for 2011-12.

National Plan for Clean Air
(Question No. 1094)

Senator Boswell asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 7 September 2011:

(1) When will a decision be made to bring Australian small polluting engines in line with the standards of other first world countries, such as the United States of America, Canada, China, Japan and the European Union.
(2) Is the Minister aware that these small polluting engines are major emitters of carbon and that an Australian lawn mower pushes out 40 times the pollutants per hour of a small car.

(3) Given the commitment of the Federal Government to cut carbon emissions, when will the Small Engine Emissions Regulations for Australia be announced.

**Senator Conroy:** The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

(1) Environment Ministers from all jurisdictions recently endorsed the development of a new National Plan for Clean Air. This new plan will provide a robust framework for identifying cost effective actions to reduce air pollution, and implementation arrangements for air quality actions. Non-road spark ignition engines and equipment is to be considered under this Plan. The Decision Regulation Impact Statement is currently being finalised.

(2) I am aware that non-road spark ignition engines and equipment emit a number of air pollutants, amongst them, carbon monoxide and nitrogen dioxide. I am also aware that they are high polluters relative to their engine size and usage. That is why the then Environment Protection and Heritage Council agreed to undertake a Regulation Impact Statement to identify options to manage air pollutant emissions from these sources.

(3) The Government's commitment is not only focused on reducing carbon emissions, but also on improving air quality in general for all Australians. The development of a new National Plan for Clean Air will be an extensive program of work that will require consideration and input from all jurisdictions.

**Treasury**

(Question Nos 1159, 1194 and 1195)

**Senator Abetz** asked the Minister representing the Treasurer, the Assistant Treasurer and the Minister for Financial Services and Superannuation, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

(1) Nil.

(2) Nil.

(3) Nil.

**Infrastructure and Transport**

(Question No. 1167)

**Senator Abetz** asked the Minister representing the Minister for Infrastructure and Transport, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.
Senator Carr: The Minister for Infrastructure and Transport has provided the following answer to the honourable senator's question:

(1) There were no allowances paid to employees or contractors working at sea during 2010-11.
(2) There is no daily allowance for working at sea.
(3) There were no days spent at sea by employees or contractors during 2010-11.

Human Services: Staffing
(Question No. 1181)

Senator Abetz asked the Minister representing the Minister for Human Services, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.
(2) What is the daily allowance for working at sea.
(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Arbib: The Minister for Human Services has provided the following answer to the honourable senator's question:

(1) The Department did not pay any allowances to employees or contractors for working at sea during the 2010-11 financial year.
(2) The Department's prevailing collective agreements do not contain provision for the payment of an allowance for working at sea.
(3) No time was spent at sea by departmental employees or contractors in the 2010-11 financial year.

Treasury
(Question No. 1205)

Senator Cormann asked the Minister representing the Treasurer, upon notice, on 15 September 2011:

Can Fiscal Table 1 on page 41 of the explanatory memorandum for the Clean Energy Bill 2011 be provided on an underlying cash balance basis.

Senator Wong: The Treasurer has provided the following answer to the honourable senator's question:

Table 1 of the explanatory memorandum to the Clean Energy Bill 2011 has not been replicated on an underlying cash balance basis. The Government has published a detailed table on a fiscal balance basis.

A full economic update will be published in the 2011-12 MYEFO. The impact of the Clean Energy Future Package will be reflected in the published budget balances.