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SITTING DAYS—2016

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

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

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

Senate Office Holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Gavin Mark Marshall
Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O'Neill, Nova Maree Peris OAM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams
Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

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

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

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<th>Senator</th>
<th>State or Territory</th>
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives:

- **Australian Capital Territory**: Gallagher, K. ALP
- **Northern Territory**: Scullion, N. G. CLP

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1. Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.
2. Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J. Faulkner), pursuant to section 15 of the Constitution.
3. Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.
4. Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.
5. Chosen by the Parliament of Tasmania to fill a casual vacancy (vice C. Milne), pursuant to section 15 of the Constitution.
6. Chosen by the Parliament of South Australia to fill a casual vacancy (vice P. Wright), pursuant to section 15 of the Constitution.
7. Chosen by the Parliament of Victoria to fill a casual vacancy (vice M. Ronaldson), pursuant to section 15 of the Constitution.
8. Vacancy created by the resignation of Senator Bullock.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—P Bowen
### Turnbull Ministry

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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Malcolm Turnbull MP</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td><strong>Minister for Women</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Cabinet Secretary</strong></td>
<td>Senator the Hon Arthur Sinodinos AO</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>The Hon Michaelia Cash</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Counter-Terrorism</td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Prime Minister</strong></td>
<td>Senator the Hon James McGrath</td>
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<tr>
<td><strong>Assistant Minister for Cities and Digital Transformation</strong></td>
<td>The Hon Angus Taylor MP</td>
</tr>
<tr>
<td><strong>Assistant Cabinet Secretary</strong></td>
<td>The Hon Dr Peter Hendy MP</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Agriculture and Water Resources</strong></td>
<td>The Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td>Assistant Minister for Agriculture and Water Resources</td>
<td>Senator the Hon Anne Ruston</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Keith Pitt MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Steve Ciobo MP</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td><strong>Minister for Tourism and International Education</strong></td>
<td>Senator the Hon Richard Colbeck</td>
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<td>Senator the Hon Richard Colbeck</td>
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<td>(Vice-President of the Executive Council)</td>
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<tr>
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<tr>
<td>Minister for Justice</td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td><strong>Treasurer</strong></td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon Kelly O’Dwyer MP</td>
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<td>The Hon Kelly O’Dwyer MP</td>
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<tr>
<td>(Deputy Leader of Government in the Senate)</td>
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<tr>
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<td>The Hon Dr Peter Hendy MP</td>
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<td><strong>Minister for Regional Development</strong></td>
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<tr>
<td><strong>Minister for Infrastructure and Transport</strong></td>
<td>Senator the Hon Fiona Nash</td>
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<tr>
<td>(Deputy Leader of the House)</td>
<td>The Hon Darren Chester MP</td>
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<tr>
<td>Minister for Major Projects, Territories and Local Government</td>
<td>The Hon Paul Fletcher MP</td>
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<tr>
<td><strong>Minister for Industry, Innovation and Science</strong></td>
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<tr>
<td>(Leader of the House)</td>
<td>The Hon Christopher Pyne MP</td>
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<tr>
<td><strong>Minister for Resources, Energy and Northern Australia</strong></td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
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<td>Assistant Minister for Science</td>
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<td>Assistant Minister for Innovation</td>
<td>The Hon Wyatt Roy MP</td>
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<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
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<td><strong>Assistant Minister for Immigration</strong></td>
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<td>The Hon Greg Hunt MP</td>
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<td><strong>Minister for Health</strong></td>
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<td><strong>Minister for Sport</strong></td>
<td>The Hon Sussan Ley MP</td>
</tr>
<tr>
<td><strong>Minister for Rural Health</strong></td>
<td>Senator the Hon Fiona Nash</td>
</tr>
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<td><strong>Assistant Minister for Health and Aged Care</strong></td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon Marise Payne</td>
</tr>
<tr>
<td><strong>Minister for Veterans’ Affairs</strong></td>
<td>The Hon Dan Tehan MP</td>
</tr>
<tr>
<td><strong>Assistant Minister Assisting the Prime Minister for the Centenary of</strong></td>
<td>ANZAC</td>
</tr>
<tr>
<td><strong>Minister for Defence Materiel</strong></td>
<td>The Hon Dan Tehan MP</td>
</tr>
<tr>
<td><strong>Assistant Minister for Defence</strong></td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td><strong>Minister for Communications</strong></td>
<td>Senator the Hon Mitch Fifield</td>
</tr>
<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon Mitch Fifield</td>
</tr>
<tr>
<td><strong>Minister for Regional Communications</strong></td>
<td>Senator the Hon Fiona Nash</td>
</tr>
<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon Christian Porter MP</td>
</tr>
<tr>
<td><strong>Minister for Human Services</strong></td>
<td>The Hon Alan Tudge MP</td>
</tr>
<tr>
<td><strong>Assistant Minister for Disability Services</strong></td>
<td>The Hon Jane Prentice MP</td>
</tr>
<tr>
<td><strong>Assistant Minister for Multicultural Affairs</strong></td>
<td>The Hon Craig Laundy MP</td>
</tr>
<tr>
<td><strong>Minister for Education and Training</strong></td>
<td>Senator the Hon Simon Birmingham</td>
</tr>
<tr>
<td><strong>Minister for Vocational Education and Skills</strong></td>
<td>Senator the Hon Scott Ryan</td>
</tr>
<tr>
<td><strong>Minister for Tourism and International Education</strong></td>
<td>Senator the Hon Richard Colbeck</td>
</tr>
</tbody>
</table>

Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952.*
<table>
<thead>
<tr>
<th>TITLE</th>
<th>SHADOW MINISTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader on State and Territory Relations</td>
<td>Senator Katy Gallagher*</td>
</tr>
<tr>
<td>Shadow Minister for Women</td>
<td>Senator Claire Gallagher</td>
</tr>
<tr>
<td>Manager of Opposition Business (Senate)</td>
<td>Senator the Hon. Michael Dunby MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Hon. Ed Husic MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Senator Sam Dastyari</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Terri Butler MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary Assisting with Digital Innovation and Startups</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td></td>
</tr>
<tr>
<td>Deputy Manager of Opposition Business (Senate)</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td></td>
</tr>
<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon. Tanya Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
<td>Hon. Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Foreign Affairs</td>
<td></td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate</td>
<td>Senator the Hon. Penny Wong</td>
</tr>
<tr>
<td>Shadow Minister for Trade and Investment</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate</td>
<td>Senator the Hon. Stephen Conroy</td>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans’ Affairs</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Hon. David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence</td>
<td>Gai Brodtmann MP</td>
</tr>
<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
<td>Hon. Anthony Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Cities</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Tourism</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Northern Australia</td>
<td>Hon. Gary Gray AO MP</td>
</tr>
<tr>
<td>Shadow Minister for Regional Development and Local Government</td>
<td>Hon. Julie Collins MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td>Hon. Alannah MacTiernan MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Western Australia</td>
<td></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for External Territories</td>
<td>Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Hon. Chris Bowen MP</td>
</tr>
<tr>
<td>Shadow Minister for Small Business</td>
<td>Michelle Rowland MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer</td>
<td>Hon. Dr Andrew Leigh MP</td>
</tr>
<tr>
<td>Shadow Minister for Competition</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Shadow Minister for Financial Services and Superannuation</td>
<td>Hon. Ed Husic MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Productivity</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Treasurer</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Finance</td>
<td>Hon. Tony Burke MP</td>
</tr>
<tr>
<td>Manager of Opposition Business (House)</td>
<td></td>
</tr>
<tr>
<td>TITLE</td>
<td>SHADOW MINISTER</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------</td>
</tr>
<tr>
<td>Shadow Special Minister of State</td>
<td>Hon. Brendan O’Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Environment, Climate Change and Water</td>
<td>Hon. Mark Butler MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Environment, Climate Change</td>
<td>Senator the Hon. Lisa Singh</td>
</tr>
<tr>
<td>and Water</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Higher Education, Research, Innovation and</td>
<td>Senator the Hon. Kim Carr</td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Vocational Education</td>
<td>Hon. Sharon Bird MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Higher Education</td>
<td>Hon. Amanda Rishworth MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Manufacturing</td>
<td>Nick Champion MP</td>
</tr>
<tr>
<td>Shadow Minister for Communications</td>
<td>Hon. Jason Clare MP</td>
</tr>
<tr>
<td>Shadow Attorney-General</td>
<td>Hon. Mark Dreyfus QC MP</td>
</tr>
<tr>
<td>Shadow Minister for the Arts</td>
<td>Hon. Catherine King MP</td>
</tr>
<tr>
<td>Deputy Manager of Opposition Business (House)</td>
<td>Hon. Shayne Neumann MP</td>
</tr>
<tr>
<td>Shadow Minister for Justice</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Shadow Attorney-General</td>
<td>Stephen Jones MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for the Arts</td>
<td>Tony Zappia MP</td>
</tr>
<tr>
<td>Shadow Minister for Education</td>
<td>Senator Helen Polley</td>
</tr>
<tr>
<td>Shadow Minister for Early Childhood</td>
<td>Hon. Joel Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Education</td>
<td>Hon. Amanda Rishworth MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Early Childhood Education</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for School Education and Youth</td>
<td>Senator Sam Dastyari</td>
</tr>
<tr>
<td>Shadow Minister for Agriculture, Fisheries and Forestry</td>
<td>Hon. Gary Gray AO MP</td>
</tr>
<tr>
<td>Shadow Minister for Rural Affairs</td>
<td>Hon. Catherine King MP</td>
</tr>
<tr>
<td>Shadow Minister for Health</td>
<td>Hon. Shayne Neumann MP</td>
</tr>
<tr>
<td>Shadow Minister for Mental Health</td>
<td>Senator Katy Gallagher</td>
</tr>
<tr>
<td>Shadow Minister for Sport</td>
<td>Dr Jim Chalmers MP</td>
</tr>
<tr>
<td>Shadow Assistant Minister for Health</td>
<td>Stephen Jones MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Health</td>
<td>Tony Zappia MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Senator Helen Polley</td>
</tr>
<tr>
<td>Shadow Minister for Families and Payments</td>
<td>Hon. Jenny Macklin MP</td>
</tr>
<tr>
<td>Shadow Minister for Disability Reform</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Housing and Homelessness</td>
<td>Senator Katy Gallagher*</td>
</tr>
<tr>
<td>Shadow Minister for Human Services</td>
<td>Senator the Hon. Doug Cameron</td>
</tr>
<tr>
<td>Shadow Minister for Carers</td>
<td>Senator Claire Moore</td>
</tr>
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<td>Shadow Minister for Communities</td>
<td></td>
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<td>Shadow Parliamentary Secretary for Families and Payments</td>
<td>Senator Carol Brown</td>
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<td>Shadow Parliamentary Secretary for Child Safety and Prevention of</td>
<td>Terri Butler MP</td>
</tr>
<tr>
<td>Family Violence</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Immigration and Border Protection</td>
<td>Hon. Richard Marles MP</td>
</tr>
<tr>
<td>Shadow Minister for Citizenship and Multiculturalism</td>
<td>Michelle Rowland MP</td>
</tr>
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<td>Shadow Minister for Employment and Workplace Relations</td>
<td>Hon. Brendan O’Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Employment Services</td>
<td>Hon. Julie Collins MP</td>
</tr>
</tbody>
</table>
Shadow Cabinet Ministers are shown in bold type.

* Senator Katy Gallagher’s appointment to the Shadow Ministry is effective from 1 November 2015. Senator the Hon. Jan McLucas will serve as Shadow Minister for Housing and Homelessness and Shadow Minister for Mental Health, and represent the Shadow Minister for Northern Australia, the Shadow Minister for Health, the Shadow Assistant Minister for Health, the Shadow Minister for Sport and the Shadow Minister for Indigenous Affairs in the Senate until 31 October 2015.
## CONTENTS

**TUESDAY, 19 APRIL 2016**

<table>
<thead>
<tr>
<th>Chamber</th>
<th>DOCUMENTS—</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tabling ........................................................................... 2965</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMITTEES—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Affairs References Committee—</td>
</tr>
<tr>
<td>Treaties Committee—</td>
</tr>
<tr>
<td>Meeting ........................................................................... 2965</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOVERNOR-GENERAL’S SPEECH—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address-in-Reply .............. 2965</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>QUESTIONS WITHOUT NOTICE—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Advertising .............................................. 2985</td>
</tr>
<tr>
<td>Transport Industry ....................................................... 2986</td>
</tr>
<tr>
<td>Higher Education ................................................................ 2988</td>
</tr>
<tr>
<td>Anti-Corruption Commission ............................................ 2989</td>
</tr>
<tr>
<td>Economy ........................................................................... 2990</td>
</tr>
<tr>
<td>Taxation ........................................................................... 2992</td>
</tr>
<tr>
<td>Defence Procurement ....................................................... 2993</td>
</tr>
<tr>
<td>Education Funding ................................................................ 2995</td>
</tr>
<tr>
<td>Donations to Political Parties ........................................... 2998</td>
</tr>
<tr>
<td>Broadcasting Legislation .................................................. 3000</td>
</tr>
<tr>
<td>Women's Workforce Participation ........................................ 3001</td>
</tr>
<tr>
<td>Education .......................................................................... 3002</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUDGET—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration by Estimates Committees .................................. 3004</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher Education .................................................. 3019</td>
</tr>
<tr>
<td>Taxation ....................................................................... 3019</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rearrangement .......................................................... 3025</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMITTEES—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance and Public Administration References Committee—</td>
</tr>
<tr>
<td>Reference ....................................................................... 3043</td>
</tr>
<tr>
<td>Reference ....................................................................... 3044</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUDGET—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration by Estimates Committees .................................. 3046</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOTICES—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdrawal ....................................................................... 3047</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration of Legislation ........................................... 3047</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MOTIONS—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tobacco Taxation .......................................................... 3048</td>
</tr>
<tr>
<td>Anti-Corruption Commission ............................................. 3048</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration of Legislation ........................................... 3049</td>
</tr>
<tr>
<td>Consideration of Legislation ........................................... 3049</td>
</tr>
</tbody>
</table>
## CONTENTS—continued

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consideration of Legislation</td>
<td>3051</td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3051</td>
</tr>
<tr>
<td><strong>DOCUMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Research Infrastructure Review—Order for the Production of Documents</td>
<td>3051</td>
</tr>
<tr>
<td><strong>BUSINESS</strong></td>
<td></td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3051</td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3051</td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3052</td>
</tr>
<tr>
<td><strong>MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Indigenous Incarceration and Deaths in Custody</td>
<td>3052</td>
</tr>
<tr>
<td>Financial Services</td>
<td>3053</td>
</tr>
<tr>
<td><strong>BUSINESS</strong></td>
<td></td>
</tr>
<tr>
<td>Rearrangement</td>
<td>3055</td>
</tr>
<tr>
<td><strong>NOTICES</strong></td>
<td></td>
</tr>
<tr>
<td>Withdrawal</td>
<td>3055</td>
</tr>
<tr>
<td><strong>MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Myanmar</td>
<td>3055</td>
</tr>
<tr>
<td>Public Transport</td>
<td>3055</td>
</tr>
<tr>
<td>Australian Pesticides and Veterinary Medicines Authority</td>
<td>3057</td>
</tr>
<tr>
<td>Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project</td>
<td>3058</td>
</tr>
<tr>
<td><strong>DOCUMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Perth Freight Link—Order for the Production of Documents</td>
<td>3058</td>
</tr>
<tr>
<td><strong>COMMITTEES</strong></td>
<td></td>
</tr>
<tr>
<td>Joint Committee of Public Accounts and Audit—Meeting</td>
<td>3059</td>
</tr>
<tr>
<td><strong>MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Steel Industry</td>
<td>3059</td>
</tr>
<tr>
<td><strong>BUSINESS</strong></td>
<td></td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3062</td>
</tr>
<tr>
<td><strong>DOCUMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Macroeconomics.com.au Pty Ltd—Order for the Production of Documents</td>
<td>3063</td>
</tr>
<tr>
<td><strong>BUSINESS</strong></td>
<td></td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3065</td>
</tr>
<tr>
<td>Consideration of Legislation</td>
<td>3065</td>
</tr>
<tr>
<td><strong>MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Steel Industry</td>
<td>3065</td>
</tr>
<tr>
<td>World Down Syndrome Day</td>
<td>3067</td>
</tr>
<tr>
<td>Steel Industry</td>
<td>3067</td>
</tr>
<tr>
<td><strong>DOCUMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>Asylum Seekers—Order for the Production of Documents</td>
<td>3069</td>
</tr>
<tr>
<td><strong>MOTIONS</strong></td>
<td></td>
</tr>
<tr>
<td>Climate Change</td>
<td>3071</td>
</tr>
<tr>
<td>Financial Services</td>
<td>3072</td>
</tr>
</tbody>
</table>
CONTENTS—continued

NOTICES—
Withdrawal .......................................................................................................................... 3074
BUSINESS—
Consideration of Legislation .......................................................................................... 3074
COMMITTEES—
Membership ................................................................................................................... 3075
Legal and Constitutional Affairs References Committee—
Membership ................................................................................................................... 3075
BILLS—
Northern Australia Infrastructure Facility Bill 2016—
Northern Australia Infrastructure Facility (Consequential Amendments) Bill 2016—
First Reading .................................................................................................................. 3076
Second Reading .............................................................................................................. 3076
Commonwealth Electoral Amendment Bill 2016—
Returned from the House of Representatives ................................................................. 3079
Road Safety Remuneration Repeal Bill 2016—
Assent ............................................................................................................................... 3079
BUSINESS—
Days and Hours of Meeting .......................................................................................... 3079
ADJOURNMENT—
United Kingdom ............................................................................................................. 3079
Tasmania: Federal Election .............................................................................................. 3081
Queen Elizabeth II: 90th Birthday .................................................................................. 3082
Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Program ............. 3083
Illicit Drugs ....................................................................................................................... 3084
Lazarus, Senator Glenn .................................................................................................... 3085
Queensland: Agriculture ................................................................................................. 3085
Financial Services .......................................................................................................... 3086
Lazarus, Senator Glenn .................................................................................................... 3087
Queensland: Agriculture ................................................................................................. 3087
Lazarus, Senator Glenn .................................................................................................... 3088
Queensland: Agriculture ................................................................................................. 3088
Lazarus, Senator Glenn .................................................................................................... 3089
Queensland: Agriculture ................................................................................................. 3089
Higher Education: Australian History ............................................................................ 3090
Broadband ....................................................................................................................... 3092
Indigenous Communities ................................................................................................. 3094
Forestry ............................................................................................................................ 3096
Garland, Canon David John, OBE .................................................................................. 3099
Department of Veterans' Affairs ...................................................................................... 3103
Murray-Darling Basin Authority ..................................................................................... 3108
Climate Change ............................................................................................................... 3110
Asbestos Safety and Eradication Agency ....................................................................... 3110
Taxation ......................................................................................................................... 3110
Donations to Political Parties ......................................................................................... 3110
DOCUMENTS—
Tabling ............................................................................................................................. 3115
CONTENTS—continued

Tabling.................................................................3117
The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 12:30, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling

The Clerk: I table documents pursuant to statute and returns to order. Lists are available from the Table Office or the chamber attendants.

Details of the documents also appear at the end of today's Hansard.

COMMITTEES
Community Affairs References Committee
Treaties Committee
Meeting

The Clerk: Proposals to meet have been lodged by the Community Affairs References Committee for a public hearing on 20 April, from 12.30 pm, and by the Joint Standing Committee on Treaties for public hearings on 2 May and 9 May.

The PRESIDENT (12:31): Does any senator wish to have the question put on any of those committee meetings? There being none, we will proceed to business.

GOVERNOR-GENERAL’S SPEECH
Address-in-Reply

Debate resumed on the motion:
That the following address-in-reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

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

Senator LINES (Western Australia) (12:32): If there was any doubt about the link between wages and safety, there was a report from the National Transport Commission:

There is solid survey evidence linking payment levels and systems to crashes, speeding, driving while fatigued and drug use. This evidence has been accepted and indeed confirmed by government inquiries, coronial inquests, courts and industrial tribunal hearings in Australia over a number of years. The association between remuneration and safety applies to both employed and owner/drivers.

Last night in the Senate, the government voted down the Road Safety Remuneration Tribunal. Their sense of accomplishment and excitement over this achievement reminded me of the gleeful nature of the way in which Mr Peter Reith announced the sacking of waterfront workers back in 1998. Both of these moves by conservative governments—by LNP governments—were wrong. Just as it was wrong for the Howard government back in 1998 to buy in so publicly on a waterfront dispute, with their own clear agenda to get rid of the MUA, it is equally wrong for the Turnbull government to have beaten up road safety and the lives of
Australian drivers in this debate. It is not as clear-cut as the government would have us believe. It is not owner-drivers versus the rest. It is not—

Senator Heffernan: Mr President, on a point of order, I have just noticed Senator Sam Dastyari with his new haircut come into the chamber, but I am pleased to inform the chamber that, as of my call to him the other day, he now knows what a backload is in transport.

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

Senator Heffernan: He didn't know what a backload was.

The PRESIDENT: Senator Heffernan, resume your seat. There is no point of order, and that is misusing points of order in this place.

Senator LINES: How dare government senators make a mockery of the deaths of truck drivers? How dare you? You should apologise. So the Turnbull government has beaten this up.

Senator Heffernan: I'm not making a joke of deaths on the roads, you dope.

The PRESIDENT: Order!

Senator LINES: It is not owner-drivers.

The PRESIDENT: Order! Senator Heffernan, you cannot just stand up and speak until you are given the call.

Senator Heffernan: Well, bugger it. I'm not going to put up with that.

The PRESIDENT: If you have a point of order, you raise it properly as a point of order, and there are other measures to address issues where you think you may have been misrepresented. Senator Lines, you have the call.

Senator LINES: Thank you, Mr President. It is not owner-drivers versus the Transport Workers Union, and it is an absolute fabrication to make out that owner-drivers have lost their incomes and their livelihoods because of a decision which came out of the RSRT just a few weeks ago. It is as if suddenly the Turnbull government have discovered mums and dads, as they have repeated it over and over in the media and in the parliament. But guess what: just because you say something over and over does not mean people believe your message or that your message is credible. The Turnbull government's new-found love of mums and dads is not credible. You cannot stand for the big end of town over and over, cut health, education, Medicare and pathology services and put banks before people, and then suddenly discover mums and dads. You fail the pub test, and on this issue it is clear that the Prime Minister and Minister Cash in particular have failed the pub test.

Yesterday, in abolishing the RSRT, the government did not talk about road safety or deaths, nor did they outline their plan to improve road safety and reduce deaths. Why? Because they do not have a plan. It is that simple. The Turnbull government are chaotic. It is a government which has no plan, and it has no plan about road safety. The RSRT was not even in its sights until last week. If it was really the big issue they claim it to be then they have had three years to listen to the whole industry and come up with a workable solution that does not put truck drivers and other road users at risk of death on our roads. That is the simple truth. The Turnbull government saw a political opportunity and took it. Unfortunately and tragically, that means more deaths on our roads, because this government have chosen to play politics with road safety.
Let me put the facts on the table: $2 billion is the estimated cost of heavy vehicle accidents in Australia every year. Two thousand five hundred and forty eight people were killed in truck related accidents between 2004 and 2014. That is 2,548 people who did not go home to their families—lives lost and families and loved ones in mourning. In 2012-13, there were 1,728 people hospitalised in crashes involving a heavy vehicle. The number of people hospitalised was up by 1,412 from 2005-06. Between 2012 and 2015, 3,000-plus transport businesses went bankrupt. Sixty per cent of these small firms of five or fewer employees—the mums and dads the Turnbull government have suddenly discovered just last week—went bankrupt because of poor cash flow and poor financial control, not because of high wages or because of the RSRT but because they were not getting the money in quickly enough from the jobs they had done. This is about big business screwing over small business—the mums and dads. This is what needs fixing, a fair go for everyone, and this could have been achieved if the Turnbull government was not playing politics with truck drivers and sat down with Labor, the union and the industry to find solutions.

Sadly, in Victoria between 2008 and 2013, 53 truck drivers took their own lives. According to analysis by the Coroners Court of Victoria, truck drivers had the highest number of suicides out of any profession. Along with these shocking statistics, we have injuries and deaths caused by speed and drivers ignoring safety to get the job done because of the pressure they are under. And in March of this year, while the Turnbull government was plotting to get rid of the RSRT, there were 25 deaths in trucking crashes alone. There were 25 people who did not go home to their families and their friends—people whose families were left devastated. There was not one word from the Turnbull government about this shocking loss of life—no plan, no proposals, just blatant political opportunism.

And let me run the ruler over all the garbage we have heard from the Prime Minister, Minister Cash and the Turnbull government who claim somehow to represent thousands of owner-drivers. Research released today by the Transport Workers Union—checking the facts—absolutely expose the Turnbull government, the Prime Minister and Minister Cash on the garbage they have peddled. Just 12 per cent of Australians polled thought the tribunal should be abolished. They did not ask them. No, they did not ask the Australian voters; they just saw a dirty political opportunity and took it. Twelve per cent of Australians are the only group of Australians who agree with them—not the thousands that they claimed in the media—just 12 per cent. In fact, that figure was consistent. Most of the people polled thought the tribunal should have strengthened powers, and it did not matter who they voted for: whether they voted for Labor, whether they voted for the Liberals, whether they voted for the Independents. Thirty per cent of those polled thought the tribunal should have more powers. They certainly did not support its abolition. Once again, the Turnbull government, the Prime Minister and Minister Cash just ignore the facts of the situation and make it up as they go along.

The truth is—the reality is—trucking is one of Australia's most dangerous jobs. Road transport has the highest fatality of any industry in Australia. It has 12 times the average for all industry. Yesterday, when I began this speech, I talked about some of the owner-drivers and some of the widows that I met, and I mentioned a woman who had become an activist because she lost her husband in a trucking accident. Her name is Suzanne and she said: 'We know drivers are forced to work these crazy hours not because they want to but because the
big companies at the top are cutting their transport costs. Why is the government trying to abolish the one body which can stop this deadly cycle? Why are they forcing other families to go through what mine has gone through?'

Those opposite would have you believe that this is all a big union beat-up. Suzanne was not a member of the Transport Workers Union; she is the widow of a truck driver killed needlessly on our roads. This is a view she formed from sitting in the coroners court and her truth is being denied by those opposite for blatant political gain.

Let us hear from Mark, who is an employed truck driver. Mark says: 'Drivers are forced to drive too fast or too long to meet unrealistic delivery deadlines set by companies like Coles. The money is just not there to do everything properly and safely.' And Mark says, and I conclude, 'That is why we need the RSRT.' And let us hear from another owner-driver, not one trumped up by the Turnbull government—an owner-driver who has his own opinion—not one who is being used for blatant political purposes by the Turnbull government, who suddenly found the mums and dads of Australia just last week.

Let us hear from Ray who is an owner-driver, 'Minimum rates need to apply nationally to lift standards and ensure people can pay themselves a wage and pay their overheads, otherwise you get a race to the bottom and safety is sacrificed.' Let us have a look at what the RSRT is able to make orders on, or could make orders on. It could establish minimum rates of pay and not put people out of business—but you never heard that from the Turnbull government. It could look at industry practices for loading and unloading vehicles, for waiting times, for working hours, for load limits, for payment methods and for payment periods—all the factors which contribute to a safe trucking industry. It could look at ways of reducing or removing remuneration related incentives, pressures and practices that contribute to unsafe work practices.

At the time that it was abolished, after some kind of thought bubble by the Prime Minister and the Minister for Employment just last week, it was looking at issues such as oil, fuel and gas; cash in transit, another dangerous industry; waste; ports and wharves; and retail and long distance—another set of factors which contribute to safe trucking in our country. And what does the Turnbull government do? It abolishes it, for no reason other than cheap political gain. Labor will not stand for that. We will not. We put people first. That is what Labor does. The Turnbull government does not and it never has. Today, as a Labor senator, I stand with members of the Transport Workers Union and truck drivers across this country. I can assure those truck drivers and the Transport Workers Union that Labor will put people first.

Senator LEYONHJELM (New South Wales) (12:46): A person with a Nobel prize in physics knows a lot about physics but probably not about Middle East politics. Being a victim of crime does not make you expert at how to prevent similar crimes or the implements used in them. And being a retailer means you understand things like margins and stock turns, but you do not have expertise in the production of what you are selling—unless, it seems, you are Coles.

Despite being a retailer, Coles apparently believes it knows enough about pig production to tell pig farmers how to produce their pigs. And, if they do not do as they are told, Coles will not sell their pork. We also know what happens when we reach our limitations. We make wrong decisions. We potentially cause harm to others. If we do that in spite of being told we
are making a wrong decision, we are not only stupid but culpable. Coles is both stupid and culpable. I will explain.

As male pigs reach puberty, they begin to produce male hormones. That has two effects. First, it makes them fight. A pen full of pubescent male pigs is not a pretty sight. As the hormones kick in, they become aggressive and covered in bites and scratches. Second, the male hormones cause an unpleasant taste in the meat, known as boar taint. Consumers dislike boar taint. Some find it utterly offensive. It is enough to put them off pork permanently. A pen of young adolescent female pigs is placid, with very little fighting, and their meat is quite untainted. Some meat buyers insist on pork from female pigs, but obviously pig farming would not be viable if only female pigs were used.

In the past there were two options. One was to surgically castrate male pigs prior to puberty so the hormones were not produced. This is effective but has obvious animal welfare issues. We are not talking about an operating theatre and anaesthetic here. It also has an economic effect: the shock of castration plus the loss of the anabolic effect of male hormones means the pigs stop growing for a while. The other option was to slaughter male pigs at a young age, prior to puberty kicking in. This is far from ideal in terms of the type of pork produced and is not very efficient either.

A few years ago a vaccine-like product called Improvac came on the market in Australia and elsewhere. It is a simple injection given to male piglets when they are small which blocks the production of male hormones. It is high technology, not a chemical or a hormone, and will in due course be used in other species. When it is used in male pigs, they do not develop boar taint, do not fight with each other and can be allowed to grow to an economic size.

But Coles tells its pork suppliers not to use Improvac—not because it has superior scientific knowledge to the regulators who approved Improvac, not because it knows more about pig farming than pig farmers; it is so it can say to consumers, 'We don't sell pork that contains things'—things it knows nothing about. It feeds on ignorance and bigotry about agriculture. The result is: Coles's suppliers of pork are forced to either castrate their male pigs, slaughter them too early or risk losing consumers because of boar taint. This is bad for pig farmers, bad for animal welfare and bad for pork consumers. Coles does not actually care about pig welfare, or the pig industry, or its own customers. It just wants to be able to tell a nonsense story to gullible consumers. It is dishonest and, as I said, stupid and culpable. If the issue is not fixed, I will have a lot more to say about it in future.

On another matter: like many Australians, I understand the appeal of a very fast train. In fact, those of us forced to spend 20 weeks a year in Canberra love the idea of getting out of here at a very rapid rate. The ABC television documentary Utopia pointed out that 95 per cent of Australians are in favour of very fast trains. But the other five per cent are economists, engineers and other experts in transport. Several studies have shown this plan is not viable in Australia. Even before the inevitable cost blowouts caused by detours to avoid disturbing the habitats of eastern post turtles, it is estimated that a Brisbane to Melbourne train would cost about $114 billion. This is more than $5,000 for every man, woman and child in Australia. This is too much money for private companies to raise without setting uncompetitive ticket prices, so the idea can only be entertained by a reckless government. A very fast train would make our taxes disappear faster than a speeding bullet. I also bet that everybody—and especially people in Townsville, Darwin, Perth and Adelaide—can think of things they would
rather do with $5,000. For this money, we could offer every Australian several return flights to anywhere they want to go.

As usual, there is a cheaper option which involves governments getting out of the way. If governments really are worried about travel times, and they ought to be, they should reform speed limits on our roads. We could do this for the cost of replacing some road signs. In fact, my mate Ferret, the proprietor of the Penrith Muffler Shop, says he would personally be willing to remove speed indicators between Brisbane and Melbourne at no charge to the taxpayer. I jest—but there is nothing silly about this idea. What is really silly is that we still trundle around our huge continent at speed limits set in 1964, while other countries have adjusted their speed limits as cars and roads have improved. There are huge sections of our highways where a speed limit of 130, which is what applies in much of Europe, would seem more appropriate.

But it should not be up to me to set speed limits; nor should it be up to engineers or the road safety lobby, which thinks speeding is responsible for everything wrong about society. Speed limits should be set based on what the community considers to be appropriate. There is an internationally recognised methodology for working this out. And when speed limits are considered appropriate, relations with law enforcement are positive and the tedium of long distance travel is reduced as travel times are lowered. We cannot afford very fast trains, but we can afford to reduce our travel times through higher speed limits. And if this means getting out of Canberra faster, I reckon it would have a lot of support.

On a serious issue, in November last year I spoke about the case of David Waters and his dismissal by Goodyear. David is one of Australia's top sporting shooters. He has won many competitions and medals, both domestically and internationally. In July 2015, while at work, David agreed to meet a member of a rifle club similar to his own. The visitor, a 59-year-old woman, is a keen shooter looking to excel in her sport. Liz needed advice on fitting an accessory to her new target rifle. David was leaving for overseas in a couple of days, so he agreed to see her during his lunchbreak at work.

Liz drove into the basement carpark that Goodyear shares with several other businesses and their visitors in the building. David was expecting her to turn up with the accessory only. However, she had also brought along the rifle to which it was to be fitted. Until she took it out of her car, David did not know she had the rifle with her. Liz is a responsible shooter and therefore the bolt and magazine had been removed. At no point did the rifle present a risk to anyone. Unsure of his position, David nonetheless suggested to Liz that she return the rifle to the car and leave. But the carpark entrance is open to the street and a passer-by must have noticed the rifle. Within a couple of minutes the police showed up, eventually totalling about 16 of them. They arrested David and Liz and searched their cars. They accompanied David upstairs to his office to retrieve his identification and car keys. He was not charged, for the obvious reason that he had committed no offence. Liz was charged over unlocked transport of ammunition, but no conviction was recorded.

Not surprisingly, some of David's work colleagues saw him being accompanied to his office by the police and drew their own conclusions. People do that. David was instructed to attend a disciplinary hearing. He was suspended without pay. I attended the hearing with David. Those present were Trent Hudson, Goodyear's HR consultant, and Anil Singh, Finance Director and David's immediate boss. Mr Hudson, who now works for Foxtel, did most of the
talking, adopting a condescending and patronising manner towards both of us. Mr Singh, who is still at Goodyear Dunlop, said little. However, it later emerged he was the key decision maker. David was summarily sacked with no compensation, no notice or pay in lieu, on the grounds that his conduct had had 'significant reputational impact' on the company.

The letter to David that followed sets out the injustice in detail. It said he had breached company policy by allowing firearms and ammunition on company property. This is a lie. David had no prior knowledge of what was in Liz's car. It said he 'failed to ensure the safety and security of fellow associates, building tenants and Goodyear assets'. Another lie. Safety and security were never jeopardised. It said he was responsible for conduct that resulted in a complaint and a formal warning against Goodyear by the building owner. A complete lie. No such complaint or warning ever occurred. It said David was responsible for conduct that has resulted in a financial penalty against Goodyear by the building owner. Another lie. There was no penalty. It said, without explanation, there was a 'breach of trust in the employment relationship'. That is true, but it was Goodyear that breached the relationship after employing David for 12 years. In summary, the letter said: 'Your actions placed Goodyear in a position whereby it was in breach of its obligation to provide a safe and secure working environment for its associates.' False, and an outright lie. The mere presence of a rifle does not constitute a threat, and, in any case, it is quite trivial in the presence of at least 16 police, each of whom carries a firearm.

What occurred should never have attracted attention in the first place. We Australians are rightly proud of our Olympic, Commonwealth Games and World Championship shooters and the medals they regularly bring home. Unfortunately, it seems the rest of the time they are treated as presumptive criminals. David took action against Goodyear in the kangaroo court known as the Fair Work Commission. Goodyear refused to negotiate in the conciliation phase. Goodyear turned up with four lawyers and a huge pile of documents containing lies and distortions, which it dumped on him 10 minutes before the case was to be heard. Nonetheless, David represented himself and did a fine job. The company's lawyers, Hentys Lawyers, even tried to use my support for him to pursue their assertion that he had done something wrong. Totally unprofessional and disgraceful. He was awarded pay of four weeks on the grounds that his dismissal should not have been summary.

But this is not the end of the matter. There are consequences for Goodyear. Australia's sporting shooters will come to know about Goodyear and its treatment of David. Firearm owners around the world will come to know about Goodyear and its treatment of David. Firearm owners around the world will come to know about it. Virtually all of Australia's 800,000 licensed firearm owners drive cars for which they require tyres. Virtually all of those licensed firearm owners have friends and relatives who also drive cars, requiring tyres. Virtually any Australian who looks at what happened and says, 'That is manifestly unfair,' drives a car. Virtually every firearm owner around the world who recognises injustice to a fellow shooter also drives a vehicle with tyres.

I am calling on firearm owners around the world, wherever they are, to stop buying products made by Goodyear until it does the right thing by David. These products come under the brands Goodyear, Dunlop and Beaurepaires. I am calling on Goodyear to hold responsible those employees responsible for this outrage: Anil Singh, in particular, and those employees who have done nothing to rectify it—in particular Asia Pacific President Chris Delaney. It seems firearm owners have replaced blacks and Jews in the discrimination stakes. We cannot
afford to allow this injustice to stand—because, when they come for one of us in the morning, they will be coming for the rest that night.

Senator BACK (Western Australia) (13:00): I appreciate the opportunity to comment on the fact that yesterday was one of the most historic and memorable days in the Senate of the Parliament of Australia for both positive and negative reasons. Positively, we have seen the start of a process now in which the people of Australia can have their voice on issues about which I will discuss. Secondly, from a positive point of view, we restored the capacity and the centrality of the families of Australia, particularly the small business families of Australia, to get about doing the work that they do so well.

On the negative side, we regrettably saw by one of our colleagues—the Deputy Leader of the Opposition in the Senate, Senator Stephen Conroy—a most unprecedented, unfair and cowardly attack on the person and the position of the Governor-General of Australia. In his response to the presence and the statements made by the Governor-General on behalf of the government and indeed on behalf of the Prime Minister, Senator Conroy made comments along the lines that the Governor-General had demeaned his office. He drew attention to a past, now deceased, Governor-General and activities. He made the observation that 'a strong Governor-General would never have agreed' to undertake what the Prime Minister of the day had requested and what the Governor-General is required to do, and that the Prime Minister had 'used his position in advising the Governor-General in a way' which Senator Conroy thought 'would never happen again.'

The irony of all this is that constitutional experts have drawn attention to the error of Senator Conroy's comments. Constitutional law expert from the University of New South Wales, George Williams, said:

If anything, the spectre of 1975 would have been raised if the Governor-General had acted contrary to the view of the Prime Minister, so I think he (Senator Conroy) has got it the wrong way around.

Professor Anne Twomey, of Sydney University, made this comment:

The reverse of what Senator Conroy is saying is the case. What was controversial in 1975 was that the governor-general refused to act on government advice and acted without it.

I call on Senator Conroy, the Deputy Leader of the Opposition in the Senate and the Labor Party's shadow spokesman on defence, to come into this place and reflect on the comments that he made, agree with the statements of his own leader, Mr Shorten, and indeed the Prime Minister and others, and apologise unreservedly to the Governor-General.

If nothing else, we know the person of General Sir Peter Cosgrove—probably one of the most highly decorated and certainly one of the most successful military generals in this country's history. It was in September 1999 that the United Nations mission to East Timor charged Australia with the responsibility of bringing peace and good order to that country following its long years of conflict with Indonesia. And who was it that the Australian government appointed? The government appointed none other than General Sir Peter Cosgrove to lead what became known as INTERFET—one of the most successful military and peacekeeping operations in this country's history. No injuries and no wounds were encountered. He led a contingent of people from 23 countries, involving in all some 11,000 people and he did so with a high degree of military precision and he brought enormous honour to this country. At that time I was undertaking business activities in Asia, including with an Asian military organisation. When Cosgrove was appointed to lead INTERFET, I
recall being told by senior generals of that military organisation that we were not good enough and that Australia was going to end up with blood on its nose because its contingent and its leader simply were not capable of undertaking that work.

So yesterday, when the Deputy Leader of the Opposition in the Senate and shadow spokesman for defence was decrying the Governor-General of Australia, he was also placing abuse at the person of a military hero of this country. I know Senator Conroy. I believe him to be a man of honour and I believe the right thing he should do is come into this chamber today before we rise this evening and give an explanation to the Senate and to the people of Australia and, in particular, give an apology to His Excellency General Sir Peter Cosgrove.

What the Governor-General's speech yesterday morning, and the results of votes in this place yesterday afternoon, indicated is that we now have a true opportunity for the democratic process to play its part. Registered organisations legislation was introduced into the lower house. It came here to the Senate and was rejected. It then went back to the lower house and came to this place and was rejected again, and it has now become what is known as trigger for a double-dissolution election. In other words, the government of the day, elected to run this country, is unable to bring forward its legislation.

Secondly, as we saw played out yesterday, the Building and Construction Commission legislation was again rejected. It is important for people in this gallery and others around Australia to know that in 2013 the then Leader of the Opposition, Mr Tony Abbott, on behalf of the coalition, took to the 2013 election the fact that we wanted to reinstitute the ABCC. The people of Australia overwhelmingly returned the coalition to government and, in so doing, made it their position that they were happy with the introduction of that legislation. But yesterday we saw for the second time the rejection of legislation put by the government of the day, and that of course has also triggered a double-dissolution election. It is now time for the people of Australia to confirm their decision from 2013. There could not be a more direct contrast. Drawing upon my own horseracing background, I can say to you that the Labor Party is owned, trained, ridden and strapped by the union movement in this country. What we are going to see over the next few weeks is a very, very clear description of who runs the Labor Party in this country. We saw evidence of it on two occasions yesterday to which I will refer: the ABCC and the construction sector—the CFMEU, which is a huge donor of more than $7 million to the Labor Party for campaign purposes.

Through you, Acting Deputy President Reynolds, I am delighted that Senator McAllister is with us in the chamber. It was not all that long ago that I watched an interview on television with Senator McAllister with the Hon. Paul Fletcher. I recall Senator McAllister saying at the time that it is important to let the courts of Australia make the decisions when it comes to alleged unruly behaviour, dominance, bullying and standover tactics. I would like to draw attention to what the courts said and why it is so necessary for us to return to an ABCC. The Federal Court of Australia, in a recent decision, noted:

Comments such as “[t]he last time it cost us a shit load of money” and “it is going to be expensive but our fighting fund will have to fix it” evidence an attitude on the part of— the CFMEU— branch officials that the risk of the imposition of significant pecuniary penalties will not be allowed to act as a constraint on unlawful activity which they consider to be warranted.
That is the response of the Federal Court of Australia, Senator McAllister, to the activities of the CFMEU. More recently, the Supreme Court of Victoria—and New South Wales and other supreme courts have had similar experiences—stated:

... the imposition of a penalty for contempt of court should not be viewed as simply an anticipated cost of industrial action ... few things could be more destructive to the authority of the Court and to the rule of law than the idea that fines or similar punishment are akin to a tax that, once budgeted for, enable the use of unlawful conduct to achieve industrial outcomes.

That has been the response of the federal and supreme courts. If we have a look at the industry regulator itself, the FWBC, it has advised that the spread of unlawfulness in the industry, which was a feature of Victoria and our home state of Western Australia, has now spread to Queensland and South Australia. This is the Fair Work Building & Construction's statement, the regulator, not mine.

As we know, after 2007 when Labor came into government—and I am reminded of the fact that it took them some time, despite the pressure from the unions, to abolish the ABCC—they appointed Justice Murray Wilcox QC. We know him not to be a person of our political persuasion. They asked him to review the industry in such a way that they could buy time before they abolished the ABCC. Justice Wilcox, recognised the need for, and the benefit provided by, the Australian Building and Construction Commission and stated in his report—it was not welcomed by Ms Gillard at that time: 'The ABCC's work is not done. It would be unfortunate if the ABCC's replacement body led to a reversal of the progress that has been made.' That is exactly what we have seen. Those are points that I am delighted I can refer Senator McAllister to as she in this place.

The CFMEU has undue and unruly power over the Labor Party. Through you, Acting Deputy President, to those in the public gallery understand this: the construction industry in this country employs more than a million people. In small businesses and family businesses, the vast majority are not members of unions or the CFMEU, in particular. We know that this government has placed enormous emphasis on construction. There has been $55 billion for infrastructure projects. The evidence before us is that more than one-third of the cost of construction projects in this country is wasted as a result of industrial lawlessness. It is important for the taxpayers of Australia and the Australian community that we reduce and eliminate that 30 per cent wastage so that it can go into the very construction projects about which I speak.

We know that at this time the CFMEU has more than 100 of its officials before the courts around Australia. This is unconscionable. What we saw yesterday was, again, the involvement of the Labor Party and the Greens political party, along with four of the Independents, voting down the reinstatement of the ABCC. We are looking at the largest infrastructure spend in Australia's history. We know very well that should Labor get into government, we would see a continuation of industrial lawlessness simply because those who pay the piper, as we know, call the tune.

The other point of interest yesterday was that we voted to abolish the Road Safety Remuneration Tribunal. I listened to the contribution a few minutes ago from Senator Sue Lines about the problems associated with safety on roads in Australia and how bad this decision is. The interesting thing is that it was 2011 when then Prime Minister Gillard, kowtowing to the Transport Workers Union—another owner, trainer and rider of the Labor
Party—instituted this particular tribunal. If what Senator Lines said is true about the tribunal being involved in heavy vehicle road safety, then why have we not seen a significant reduction in the instances of accidents involving heavy vehicles from 2011 to 2016?

We know very well that this particular tribunal was never introduced for the purpose of heavy vehicle road safety. There is already a national heavy vehicle regulator. If Ms Gillard and the TWU—at that time—were truly interested, this is where they would have placed their resources. It is a fact that 85 per cent of all major accidents involving trucks are not the fault or the responsibility of the driver. But we do know that had we not gotten rid of the tribunal yesterday some 35,000 to 40,000 small businesses—owner operated trucking businesses—around this country were already on their way to going to the wall as a result of the decisions of that tribunal, and it is interesting to reflect that back in 2011 even the Transport Workers Union said to Ms Gillard, ‘You should put some industry people on the tribunal.’ But there was no way in the world. Only recently did the TWU join the government and industry asking the tribunal to delay its decision to axe and destroy the businesses of 35,000 people. Even the TWU joined that, but the tribunal in its arrogance ignored that advice, and now so richly have they been condemned to history with the abolition of that particular tribunal. In contrast to what Senator Lines said when she made the claim the government has laid nothing out in terms of improving road safety, I invite her to go back and read the speech that I gave last night and also the speech of my colleague Senator John Williams, who has long been a champion of the abolition of that organisation.

What does the future hold? What is the choice that the people of Australia have? I will give you two quick examples: firstly, the economy and, secondly, border protection and security. In 2007 this country was in surplus. We had no debt. We had no deficit. When Labor came into government we were in surplus, the only Western country to be so. By 2013 there was $100 billion of your money in accumulated deficits and some $350 billion of debt. You are borrowing $1 billion a month offshore to pay the interest on that debt. You are not repaying the debt. You are now borrowing more than $1 billion a month offshore out of your money to repay that interest on that debt. So if you want to have a look at a contrast between the economic capacity of governments, you need go no further than the last Labor government and the coalition government—

Senator Dastyari: It has gone up.

Senator BACK: because, as Senator Dastyari knows from his own background, the best predictor of future performance and behaviour is past behaviour. So it will be a very, very clear decision for the people of Australia in assessing that circumstance. Look at the Labor Party's policies as they have already been stated: no attempt to reduce taxes in this country and an attempt to destroy investment incentive by their negative gearing opportunities. Has Mr Shorten or the shadow Treasurer, Mr Bowen, come out and explained the rationale? No, they have not. In fact, as somebody said recently, the impact of this on people will be the equivalent of death duties. We know what the impact of the carbon tax has been around Australia. Would Labor reintroduce the carbon tax, to the destruction of Australian families and business? Would Labor reintroduce the mining tax that had such a devastating impact in my home state of Western Australia?

In the time left available to me, I now turn to this country’s border protection and security.

An honourable senator: Shame!
Senator BACK: Yes, it is a shame. You are right. I will take that interjection. It is a shame, Madam Acting Deputy President, and I will tell you why. The Greens political party were part of the Labor Party government between 2007 and 2013 which produced these statistics that I speak of. In 2007 we did not have any illegal maritime arrivals and we had no children in detention. Between 2008 and 2013, during the time of the Labor-Greens government, there were more than 50,000 illegal maritime arrivals. We know that more than 1,200 people died at sea. We know there were more. We know the 1,200 because they, regrettably, were pulled out of the water. We do not know how many more people died. Of these maritime arrivals, a total of 8,000 children were in detention during the time the Labor and Greens were in government. It peaked in July 2013, just before the last election, at 1,992. On behalf of the government, I am proud to announce today that this year, from the figures given to me, as of 3 April there are no children of illegal maritime arrivals in detention in Australia. What would be the situation should Labor get back into government?

Finally, I just simply want to contrast the two leaders. I want to contrast to the people of Australia who they will be voting for and who should be privileged to be the Prime Minister of the country after July 2016 and lead this country. In Malcolm Turnbull we have a person with an exemplary business background, a person who, at all phases of his professional life, has been an employer, stimulated employment and activity, been in the law, and operated internationally and nationally. In his opponent, Mr Shorten, we have a union hack, a person who has done nothing other than be in the union movement. He has never run a business. He has never employed staff. This is the choice before the people of Australia on 2 July 2016.

Senator McALLISTER (New South Wales) (13:20): I rise to express my disagreement with the perspectives expressed during this address-in-reply debate around the purpose of the recall of this parliament. The couple of days of sitting so far have been a farce, with today seeing absolutely no legislation placed on the Notice Paper from the government for debate in this chamber. What was the rationale for recalling people? The logic provided to the Governor-General was that industrial relations on construction sites is an issue of national importance because, amongst other things, construction is a large part of the Australian economy, so productivity on construction sites is important. I think that is the essence of their argument. Let's take a look at that piece by piece.

It is true that construction is significant, but it is by no means the largest industry in our economy. If the government were truly concerned about significant areas of the Australian economy, it would do well to look a little more closely at the finance sector. It is certainly much bigger than the construction sector and it is certainly more systemically important than the construction sector. It was not industrial relations in the construction sector that jeopardised the entire global economy just eight years ago. Hundreds of thousands of Australians did not lose on their retirement savings because of misconduct on building sites. And, despite the very best efforts of the Minister for Employment at every question time for the last 12 months, it has not been scandals in construction firms that have decorated the front page of our newspapers. The scandals that have been on the front page, the scandals we do hear about, go to the culture inside our major retail banks and our investment banks. Those scandals speak to a culture of risk-taking that, in the very recent past, has led banks to make investment decisions that pose systemic risks to the whole Australian economy. It is for that reason that the Australian Labor Party has proposed that a royal commission be undertaken.
into the practices of our banks, to make sure that it is in the best possible shape to serve the Australian economy in the way that we understand is so important.

What is the second limb of the government's argument? It is that a lack of workplace productivity in the construction sector is holding us back. The statistics tell another story, because in fact labour productivity across the economy has grown, not fallen, over the past decade. In fact, the Productivity Commission reported a few years ago that slow or negative multifactor productivity growth in manufacturing and finance and the insurance services in recent years has been a major drag on the economy-wide result. It is not actually making comment about the construction sector and it is not the case that labour productivity is really the problem that we are facing. Even if it were, the next part of the government's argument, I think, is that the reintroduction of the ABCC might do something to lift productivity. It did not last time. What did the Productivity Commission say in May 2014? It said:

The evidence that the ABCC stimulated material improvements in aggregate productivity or achieved cost reductions is weak.

The Productivity Commission, not a particularly left-wing body, said that the evidence for improvement in productivity as a consequence of the ABCC is weak. The evidence is not there, and yet this is the argument relied upon by the government to establish the basis for the economy-wide effect of introducing one new regulator. It is ridiculous. It is a fabrication and it just does not stand up when you look at it closely.

Let's take it to the next part of their argument. Even if the government were right about the impact of productivity on construction sites, we do not need the ABCC to improve that. We have existing bodies that can and do investigate corruption and misconduct by union officials. The Minister for Employment as good as admitted that yesterday. Yesterday during question time—and I will observe that it is not for the first time; this has become a rather predictable aspect of question time, in fact—once again the Minister for Employment was reading examples of what she claimed was union misconduct into the Hansard. Where did those examples come from? She was quoting from court judgements. Senator Back, in his contribution—Mr Acting Deputy President Back, there you are now in the chair—did exactly the same thing: he read from court judgements. These are court judgements that have only come about as a result of police or Fair Work taking action, doing the job that they were set up to do: investigating misconduct in not just in this industry but in industry. The system works. We do not need a special body with extraordinary powers to deal with what are quite straightforward issues in workplaces.

The fact that the government believe that industrial relations on construction sites is the biggest challenge facing the Australian economy should tell us something about their vision. It is a vision that lacks imagination and it is a vision that is extremely limited. The coalition, unhappily, has a simplistic view of the Australian economy. Out of one eye they see their corporate donors, whose interests they will support no matter what. Out of the other eye they see unions, which they will attack no matter what. That is not really the way we ought to treat economic management. The coalition's blindness to the economy as a whole is irresponsible. It endangers the nation's economic future and it should disqualify them from government.
There is nothing on the Notice Paper today in this House. We hear that the Senate may not be sitting after today, despite a promise of three weeks of extra sitting. It is a sign of a government with no ideas and no plans and offering no hope to Australia's people. With an extra three weeks here in the Senate and perhaps in the House of Representatives we could have debated same-sex marriage—something we know most Australians would like us to act on. We could have talked about a proper solution to climate change—something to address a very real and scientifically validated challenge that poses real threats to the nation's economy. But, of course, we do not see any legislation or any plans brought forward into the chamber today. Maybe, closer to the static concerns of the coalition, we could have discussed a comprehensive plan to lift the nation's productivity.

What would that look like? Let's start with No. 1. It might be that we would seek to remove distortions from the nation's tax system. It might be that, as Labor has proposed, we start to look at the overly generous superannuation tax breaks that are provided for very high-income earners—people who earn more than $300,000 a year who are, nonetheless, subject to very generous tax breaks on contributions that they make to their superannuation, allowing them to accrue balances in those super accounts that go well beyond what could reasonably be imagined as a comfortable standard necessary for retirement.

Perhaps in the time available we could have gone after multinational tax cheats and had a look at who pays their taxes and what we might do to make sure that everyone in this economy pulls their weight, not just the pay-as-you-go earners—the ordinary mums and dads—but the multinationals who benefit from our educated workforce and infrastructure. We could make sure that they paid their tax and made their contribution to the Australian economy. Maybe we could have had a talk about negative gearing and capital gains tax, because the current tax breaks, which previous speakers to the debate have referred to, support investors to buy their sixth home. They do not support couples who are buying their first home; in fact, they place those young couples who go to an auction at a positive disadvantage to the person who is standing there, buying their sixth home and seeking to enhance their investment portfolio. The consequence of this distorting tax framework for housing is that it pushes people into the outer suburbs of our cities, where there is not proper infrastructure—and that does create a drag on productivity. It creates a drag on the economy as a whole.

We have really good analysis about Sydney, in my home state, from the Grattan Institute. In some suburbs in Sydney, only 14 per cent of the total jobs available can be accessed by a 45-minute car trip. Think about that. You set out and you might drive in any direction for 45 minutes. What percentage of the available jobs do you think you can access? The answer for many people in Sydney's suburbs is just 14 per cent of all of the jobs. It does not help people find work and it does not help them find work that will advance their careers and allow them to contribute to the nation's economy. The situation is even worse if you are on public transport. In many outer suburbs of Sydney, you can access fewer than one in 10 of the city's jobs within an hour on public transport. Just 10 per cent of the city's jobs are available to you, even if you are willing to travel for an hour on public transport.

It is a national disgrace that people are living in this way, and it has important impacts, interestingly, on women. Women's workforce participation falls massively in Sydney's outer suburbs. Men and women in the eastern suburbs and the inner west participate in the
workforce at relatively similar levels, but, in parts of Sydney's outer west and the south-west, women's workforce participation falls to more than 20 per cent below that of men. One of the reasons is that those women understand that, if they have to travel for an hour on public transport or 45 minutes in their vehicle to access a very small number of low-paid jobs, that is not a realistic way of combining work and family. So we have real productivity challenges that this parliament should be addressing but is not.

It brings me to my second point, which is the significance of our nation's infrastructure. The Prime Minister has promised to focus on cities, but his Minister for Cities and the Built Environment lost his way sometime—he lost his focus in a bar. By 2025 we will have an extra 4.5 million people living in our cities, and we need to provide infrastructure for those people in a non-partisan way. The approach we would take in government is to put Infrastructure Australia at the centre of capital investment, to bring some rigour, some transparency and some authority to the process of infrastructure planning, to make sure that this process is not politicised and to make sure that there is always a business case when Commonwealth money is spent on public infrastructure in any of our cities.

What else might we do? A Labor approach to the economy might see us actually focus in a serious way on improving women's workforce participation. Australia as a whole is, supposedly, committed to lifting female workforce participation. We signed on to a G20 process to lift it, in fact, by 25 per cent by 2025. The Grattan Institute has calculated that, if Australia lifted its workforce participation just to match Canada's, we could add $25 billion annually to GDP. But the only way that we can realistically do this is by having mothers come back to work earlier. We need to think carefully about what it is that is preventing women from returning to work—and the answer is very clear. It is childcare costs, it is the failure to provide for career paths to develop the skills of these women and it is how our tax and transfer systems interact to create serious disincentives for women returning to work. That is something I might have put on the agenda if I wanted to have a serious debate about Australia's economic prosperity, instead of the narrowness that we have witnessed in recent days in this chamber.

Item 4—I have a long list—is that maybe we ought to think about education. Maybe we can think about properly funding higher education. This government has had an ideas boom in how we might strip funding out of universities. It has had an ideas boom in innovative ways to undermine one of our most profitable export sectors. But it certainly has not demonstrated any interest whatsoever in genuinely improving the educational capital that is held by the vast bulk of the Australian workforce, and it is a very great shame that that was not listed for debate in the Senate sittings that were proposed for this week.

Item 5 is a high-tech workforce. Maybe that would be part of a productivity agenda for Australia. Two out of five science and maths teachers for years 7 to 10 do not have degrees in that subject. Twenty thousand teachers in science, maths and IT did not actually study those subjects at universities. We have put forward, in recent months, a very clear plan to start addressing this problem, because it is critical that we start to train our young people in science and technology. We need to encourage more women to enter the field and we need to boost the skills of existing teachers. The truth is, unless we can build a workforce full of young men and young women who are capable of participating in the technology jobs of the future, we
will struggle to maintain the lifestyle and the standard of living that have made Australia such a wonderful place to live in recent decades.

I put all those things on the table because I think that they do draw a stark contrast with the narrowness of the vision expressed by coalition senators in recent days and the narrowness of the vision expressed by Prime Minister Turnbull. It defies belief that we would reduce the performance of the entire Australian economy to a handful of issues in one sector of the economy. It defies belief that we would recall a parliament to debate only that issue for three weeks, at enormous expense to the Australian taxpayer.

I would say to anyone listening: Australia really deserves to have a government that actually has a plan. The coalition seems absolutely determined to squander the chance it has been given—a golden chance—to improve the lives of ordinary Australians. Instead, its priority is satisfying its myopic obsession with trade unions. Given the infighting we have witnessed since Christmas, it may be that this focus on unions is because it is the only thing that members in the coalition party room can actually agree on. They certainly cannot agree on the approach to tax reform. They certainly cannot agree on how they should approach anti-bullying programs in schools. They certainly cannot agree on how they might approach same-sex marriage. They do not seem to be able to agree on whether or not they agree with the National Water Initiative and the Murray-Darling Basin Plan.

**Senator Cameron:** They're just so disagreeable!

**Senator McALLISTER:** They are a disagreeable bunch, Senator Cameron!

**The ACTING DEPUTY PRESIDENT (Senator Back):** Order! Please don't disturb the speaker!

**Senator McALLISTER:** It may be that the only thing that the coalition party room have in common with one another in these times is a dislike of trade unions—a dislike of the organisations which represent ordinary people and protect their interests and their standards in the workplace. I do not believe that that is a winning proposition with the Australian people at an election. The Australian people have rejected exactly that proposition, put in exactly those terms, by this same group of people at a previous election, when people very rightly rejected the Work Choices legislation of the Howard government and booted the coalition out of office.

These guys might want to structure an election entirely around an industrial relations proposition, but I say to coalition senators that this is a bad idea. I think it is a bad idea tactically, but I guess that is their business. More importantly, it is a bad idea because it fails to address the very real challenges facing Australia, and it fails to capitalise on the very real opportunities that we have.

Only a Labor government will have a real plan for Australia. Those things have been laid out clearly, well in advance of an election, by our leader, Bill Shorten. I am very proud of the work that Bill, his shadow cabinet and all of my colleagues in caucus have done in the period we have had in opposition. I look forward to fighting an election—to taking that conversation to the Australian people in the coming months.

**Senator SIMMS** (South Australia) (13:40): I welcome the opportunity to engage in this debate. It has been said over the last few days that there has been a whiff of 1975 here in this place. Well, I will not have that, because I think that is an insult to former Prime Minister
Gough Whitlam. He was somebody who had a bold and exciting vision for the future of our country. Fast forward 40 years, and the contrast could not be clearer. What do we have? I am looking here at the Senate order of business: a blank sheet—a metaphor for the Turnbull government's approach, because it is clear they have no ideas and no vision for the future of our country.

This is supposedly the ideas boom, but really it is more bust than boom because they have come into this place with no ideas for the future of our country. Let us consider the way in which Mr Turnbull has dealt with some critical policy questions since he got the keys to the Lodge just six months ago.

I am going to start with the issue of marriage equality—one of my portfolios for the Greens, but also an issue that I know many, many Australians are concerned about. People believed, when Mr Turnbull became Prime Minister, that he would offer a different direction to Tony Abbott on this issue. They believed that he was someone who supported the cause of marriage equality and would actually make it happen. But what we have seen is him wedding himself to the absurd policy position of holding a plebiscite, with all of the cost to the Australian taxpayers that comes with that: a $160-million price tag to ask a question we already know the answer to. We know Australians support this reform and they want the parliament to deliver it. Yet Mr Turnbull is kowtowing to the conservative forces on his backbench—the likes of Senator Abetz and Senator Bernardi—who are really ruling the coalition roost and dictating the policy position of this Prime Minister. So, rather than providing a free vote for his colleagues, he has wedded himself to this toxic Tony Abbott plan—

The ACTING DEPUTY PRESIDENT (Senator Williams): Order! Refer to those in the other place, Senator Simms, by their correct title, please. That is twice now.

Senator SIMMS: I apologise. He is wedding himself to this toxic former Prime Minister Tony Abbott plan, rather than allowing a free vote here in the parliament to deliver marriage equality. But, really, the way that he has approached that issue is emblematic of the way he has approached a range of issues affecting LGBTI Australians.

Let us consider the approach to the Australian Christian Lobby. I understand that Mr Turnbull's Treasurer, Mr Morrison, will be speaking at the ACL's conference this coming weekend, sharing the rostrum with bigots and homophobes. These are people who express some of the most profoundly offensive views, and are totally out of step with mainstream Australia, yet we have a senior figure in the Turnbull government going along and sharing the rostrum with these people. There are people speaking at this event who want to criminalise homosexuality. They actually go around the world and advocate for that policy position. Does Mr Turnbull really think that that is a view shared by mainstream Australia? Most Australians would be horrified by that policy position and horrified to see Mr Morrison legitimising that kind of hate lobby group—and that is all the ACL are. They do not represent mainstream Australia—

Senator Fawcett: Mr Acting Deputy President, I rise on a point of order—standing order 193: imputation of improper motives. Mr Morrison is not going to ratify what Senator Simms has claimed to be the views of those groups, and he should withdraw.
The ACTING DEPUTY PRESIDENT (Senator Williams): On the point of order, Senator Simms.

Senator SIMMS: The point I made was that, by his attendance, Mr Morrison was legitimising the views expressed. I think that is a fair debating point to make, Mr Acting Deputy President.

The ACTING DEPUTY PRESIDENT: There is no point of order. These are debating points. Continue, Senator Simms.

Senator SIMMS: As I was saying, the ACL are an extremist, fringe organisation, and their views are being legitimised by the Treasurer and, by extension, by Mr Turnbull. He is the leader of this government. Why hasn't he taken action to bring his Treasurer into line? We know that he failed to do so when Mr Abbott flew to the United States to speak to a similar hate group earlier this year. Mr Turnbull sat back and said nothing because he is captive to the conservative forces on his backbench.

We saw that same approach used on the issue of Safe Schools as well. We had this ridiculous situation where Senator Bernardi came into this place and made a range of outlandish and bizarre claims, and, rather than condemning them—and a leader of vision and courage would have done that; he would have stared Senator Bernardi down and told him that he was on the wrong course—what we saw Mr Turnbull do was capitulate to Senator Bernardi, cave in and force an inquiry into Safe Schools.

Lo and behold the inquiry came back and said that, actually, this is a good program and it does not need significant change. But that was not enough to appease the conservative forces on the coalition backbench. That was not enough to appease them. So what did Mr Turnbull do? He did not show leadership. He did not stare them down and say, no, we are going to support this program because it is about making schools safe for kids; it is about supporting LGBTI young people. No, of course he did not do that. He backflipped. He flip-flopped. That is his modus operandi. He caves in and supports the likes of Senator Bernardi, who is coming in here now. This is emblematic of the approach that has been taken by Mr Turnbull on so many issues.

Senator Bernardi interjecting—

Senator SIMMS: That's right. The man behind the throne walked into the room dictating the policy agenda of Mr Turnbull. That is his approach. We know who is calling the shots, Senator Bernardi. But that brings me to the issue of higher education, another portfolio of mine and the key priority for the Greens during this election.

When Mr Turnbull took on the Prime Ministership many Australians said that we might see a different direction—maybe we will see Mr Turnbull drop the appalling, unpopular agenda for deregulation of university fees. This Senate played a critical role in defeating that appalling agenda, one that was going to price people out of university in this country. We saw the Senate knock it back. But now we see the Liberal Party under Mr Turnbull electrifying that cause, bringing it back from the dead. Deregulation will be back on the agenda after this federal election.

We have also seen the Liberals talking a lot about wanting to hike up student fees even further, lowering the threshold so that you start paying back university fees at an earlier point but also by hiking up fees for HECS and HELP. We saw the consequences of that in the PBO
costings that showed that the HECS liability in this country could blow out to $180 billion. Well, the Liberals like to talk a lot about debt, don't they? They talk a lot about debt, but they do not mind shifting the debt burden onto young Australians so that they leave university with a HECS debt that is bigger than a house deposit. They have no hesitation in doing that and shifting the debt onto individuals. They have no problem with that.

The education minister may not be able to remember what his HELP or HECS debt was, but he is ensuring that every Australian who goes to university will never forget their HECS and HELP debt. They will be paying it for a generation, if the Liberals get their way with $100,000 degrees. That is the agenda of the Liberal Party that is being pursued by Mr Turnbull. That is the agenda that we are seeing as part of the vision of this new government—talking a lot about innovation, talking a lot about job creation, but when it comes to putting the ideas on the table, putting the meat on the bones, having the investment in universities that our nation requires and making universities accessible and affordable to everybody Mr Turnbull is missing in action, as he is on so many issues.

But let's also consider the issue of climate change. When Mr Turnbull was opposition leader he was rolled by his party over the issue of climate change. For many Australians he has often represented some leadership on this issue. But what does he do when he finally gets the opportunity to pursue this issue, which is a key priority for our nation and our planet? What does he do? He does nothing at all. We see the Liberals still pushing these pathetic targets that the climate sceptic Tony Abbott endorsed as Prime Minister. We have Mr Turnbull still pursuing that same policy agenda. This is in stark contrast to the vision and the courage shown by the Greens on this issue. Just recently the Greens announced our plan for a national renewable energy target of 90 per cent by 2030 to stimulate investment in renewables but also to create thousands of new jobs across our country at a time when we desperately need them.

The Greens have also been leading the debate on negative gearing. Obviously we welcome the Labor Party's interest in the issue, but it was the Greens who kicked off this debate some time ago. But we have the Liberal Party under Mr Turnbull once again showing no leadership, no vision, no courage on that issue. We have young Australians being priced out of ever being able to afford to buy a home, and we have the Liberal Party sitting on their hands and doing nothing about it because they continue to be captive to the big end of town. That is Mr Turnbull's leadership model. They continue to be captive to the big end of town in business and they continue to be captive to the conservative forces on their back bench, the likes of Senator Bernardi, who is smiling and laughing, no doubt relishing the power and authority he has over our Prime Minister as kingmaker and someone who is dictating so much of the vision of this Prime Minister during this term.

The Australian people are looking for a better approach from this election. They are looking for politicians that have leadership, that have vision and that have the courage to offer new solutions for our nation's future. The Greens have a positive vision for the future of our country and we look forward to talking to the Australian people about that in the coming days.

Senator BERNARDI (South Australia) (13:53): It gives me great pleasure to speak in the debate on the address-in-reply, not simply because I am following Senator Simms and it gives me an opportunity to rebut some of the interesting interpretations of the Greens' policy and
other assessments of government policy but also to recognise that we are in a unique circumstance in this country. We are in a circumstance where I think on only four times in the last century or so has the parliament been prorogued in the manner in which it has. We are heading towards a double-dissolution election in the new financial year. It is an opportunity to provide a very clear choice between the tired old politics, the crusty politics, of the past that we saw under the Rudd-Gillard-Rudd governments, however many there were, and the new approach of redressing the imbalance—the fiscal imbalance, the social and emotional imbalance—that is so endemic and inflicted upon the Australian people by the left side of politics.

I know the Labor Party is in full and complete denial about their role in the machinations that have gone on that have so discredited politics in this country, the accumulation of hundreds of billions of dollars’ worth of debt which is sentencing our children to a lifetime of servitude, if you will, to repay the excesses of the past. Who out there is celebrating the fact that the Labor Party spent tens of billions of dollars on school halls when there is much-needed infrastructure. If you wanted to spend that sort of money you could have got something more substantive, that was going to grow and develop our economy, because that would provide jobs for the future. You could have built water pipelines to assist in the fertility of the soil and the growing of crops for export or domestic consumption. You could have looked at very fast rail networks to improve the ease and speed of transport, to ease congestion in places like Sydney by perhaps extending a rail network through to Canberra. There are any number of things that could have been done had the minds been open, but of course they are not. Those on that side of politics only think through the prism of self-interest: their own self-interest and the interests of the unions, how they can coerce power and increasing influence and dominance in those sort of collectivism ideals and the collective ideals.

I am here to say that the great socialist experiment of the last 70 or 80 years is failing. It is failing before our eyes. It is an absolute disaster and a debacle. We have a circumstance where about half the people in this country are dependent on the toil of the other half. It is simply not sustainable. If we listen to those on the other side of politics and in the Greens party, the half that is dependent will become even greater. It will become 55 per cent or 60 per cent or 65 per cent or 70 per cent, because they want government to be the conduit of everything into people’s lives. They want the working masses to become economic units to provide taxes for their largesse. That is the shame of it. They are indoctrinating our youth, those who are responsible for the future of our country, in a manner which is almost unprecedented. It was said many, many decades ago that the Left are going to proceed with their long march through the institutions. We are seeing that.

Senator Simms in his contribution talked about the Safe Schools program. It sounds so lovely and light, ‘Safe Schools’. It is about safe schools. It is an anti-bullying program. What Senator Simms neglected to mention is that it is an indoctrination of our youth into a circumstance they are not ready for. They are getting 12-year-olds and sending them to websites, encouraging them to bypass school filters to access websites which link to third-party websites which deliberately encourage them to enter into bondage parties or to visit sex stores. And these people opposite are in denial about it. The author of the Safe Schools program is an avowed Marxist who said that gender—
Opposition senators interjecting—

Senator BERNARDI: Mr President, you can hear the chirping birds in the Greens party, can't you.

Senator Simms: Mr President, I raise a point of order. The statement made by Senator Bernardi is completely untrue and a completely false reflection on the program.

The PRESIDENT: That is not a point of order; that is a debating point.

Senator Simms: He should withdraw these comments and drop this ridiculous fixation.

The PRESIDENT: Order, Senator Simms! There is no point of order.

Senator BERNARDI: Senator Simms, I suggest it is your fixation on me. Nary a speech can transpire in this place without your indecent obsession and focus on me.

I know that Senator Simms has a particular focus at the moment, and that is trying to get rid of Senator Hanson-Young in a preselection contest. I know there is a secret ballot there. I am prepared to say that Senator Simms is more open minded than Senator Hanson-Young and deserves the support of the Greens party in the No. 1 preference, because Senator Hanson-Young has been so callous in her cavalier disregard for the people travelling here on boats and the people who have been drowning at sea. But it is incumbent on Senator Simms to stop focusing on his own self-obsessions. It is time for him to focus on the Australian people. It is time for him to confront the reality of the circumstances that he is now endorsing. There is no doubt the Safe Schools program was implemented by an avowed Marxist named Roz Ward. There is no doubt whatsoever that Senator Simms—

Senator Wong: You want young gay kids bullied, don't you, mate!

Senator BERNARDI: Sorry, Senator, I beg your pardon. Here we go, now we have Senator Wong, whom I note also failed to condemn the invaders of my office, who threatened my staff. You have not condemned them, Senator Wong. That is how callous and cowardly you are. You come in here—

The PRESIDENT: Through the chair, Senator Bernardi.

Senator BERNARDI: and you carry on like you are some sort of precious petal, and what we know is that you are a hypocrite. Sorry, I will withdraw that. It is wrong.

The PRESIDENT: You have to withdraw that, Senator Bernardi.

Senator BERNARDI: I withdraw that. We know that the rhetoric that is put out by Senator Wong is not consistent with the rest of it.

Senator Moore: Mr President, on a point of order.

The PRESIDENT: He did withdraw, Senator Moore.

Senator Moore: I am a bit worried about 'callous' and 'cowardly' as well.

The PRESIDENT: Order! It being 2 pm we now move to questions without notice. You are in continuation, Senator Bernardi.

QUESTIONS WITHOUT NOTICE

Government Advertising

Senator GALLAGHER (Australian Capital Territory) (14:00): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the scripts of taxpayer
funded budget advertisements leaked to Paul Murray at Sky News. Can the minister confirm that television and radio advertisements have already been recorded? When did the minister first see or hear the advertisements?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): I am aware of the reports, but I cannot confirm them. I can tell you that the government has made no decision on any advertising campaign around the budget and that I have seen no such advertisements.

Senator GALLAGHER (Australian Capital Territory) (14:00): Mr President, I ask a supplementary question. Have the taxpayer funded budget advertisements been approved by the Independent Communications Committee and what would they cost?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:01): I do not think I can add to my previous answer.

Senator GALLAGHER (Australian Capital Territory) (14:01): Mr President, I ask a further supplementary question. Will the Abbott-Turnbull government observe the caretaker conventions and not run taxpayer funded budget advertisements during the election campaign?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:01): I can absolutely confirm that the government will observe the caretaker conventions. We will observe the caretaker conventions to the letter—unlike the previous Labor government, whose Attorney-General and special minister of state, as well as violating the caretaker conventions, described the caretaker conventions as 'merely a matter of political practice', while the previous Labor government shamelessly and conceitedly violated those conventions. So, Senator, please do not come into this chamber and suggest that this government does not take the caretaker conventions seriously—we do—when the last Labor special minister of state, who had custodianship and responsibility for these conventions, openly and flagrantly violated them and made no excuse for doing so.

Transport Industry

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:02): My question is to the Minister for Employment, Senator Cash. Can that super minister update the Senate on the strong and decisive action that the government has taken to stand up for the owner-drivers in the heavy vehicle industry?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:02): I thank Senator O'Sullivan not only for his question but also for his keen passion for ensuring that owner-drivers are doing what they do best—being out on the roads working.

It is a fact that truck drivers are the lifeblood of the Australian economy. In fact, the road freight transport industry employs around 200,000 people. Any threat to this industry will have large flow-on effects ultimately to consumers. Tens of thousands of owner-truck drivers—many, we know, have taken out mortgages to buy their trucks—were being driven out of business by Mr Shorten's Road Safety Remuneration Tribunal. Last night, as we know, we on this side of the chamber, with a number of the crossbenchers, ensured that these owner-
drivers get back onto the road by passing a bill to abolish this shonky deal that was done between Bill Shorten, the TWU and former prime minister Julia Gillard.

I am pleased to advise the Senate that this morning the bill received royal assent. This means that the tribunal and its devastating pay order will cease to exist from midnight on 21 April. I say on behalf of the government to owner-drivers: as small business owners, you are the backbone of the Australian economy. We back you and we want to see you succeed. Unlike those on the other side, we want to see you back in business. I received a text this morning from an owner-driver, Gordo. He delivered his last load almost two weeks ago and his truck has been parked up as a result of Labor's RSRT. This is the text he sent me this morning: 'Thanks, I start my old job back tomorrow.' That is what we do: we put people into business. You put them out of business.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:05): Mr President, I ask a supplementary question. Can the minister inform the Senate of any misleading statements in relation to owner-drivers and road safety?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:05): Yes, I can. The national secretary of the TWU, Tony Sheldon, yesterday said this about owner-drivers in an article in The Sydney Morning Herald:

He/she speeds, drives longer than permitted, skips mandatory rest breaks, forgoes truck maintenance and might even take drugs to drive those extra hours.

Mr Sheldon thought it was appropriate to label owner-drivers as people who break the law, do not maintain their vehicles and take drugs. This is an outrageous allegation and Mr Sheldon should apologise to owner-drivers for calling them those things. Making customers pay more to owner-drivers—rates that are non-viable—so that they can no longer work does not make our roads safer. Threatening owner drivers with $54,000 fines does not make roads safer. Taking their homes and their trucks because of this pay order does not make roads safer.

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (14:06): Mr President, I ask a further supplementary question. Can the minister also advise the Senate whether there are any threats to owner-drivers in the heavy vehicle industry?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:06): Yes, I can. We heard it in the speeches given by those on the other side last night. Again, it was all but confirmed by Mr Shorten—the alternative Prime Minister of this country, should Labor be elected—that under a future Labor government the Road Safety Remuneration Tribunal and its devastating pay orders will be returned. There should be no doubt that a vote for Bill Shorten and Labor is going to be a vote to decimate the owner-drivers of Australia. Why? Because the TWU—like the CFMEU and the MUA—has donated $8.3 million to the Labor Party since 1996.

Opposition senators interjecting—

Senator CASH: So $8.3 million is the price that Labor will pay to put the hardworking mum-and-dad owner-drivers—small business owners, the backbone of our economy—out of business. That is what you might do, but it is certainly not what we do. (Time expired)
Higher Education

Senator KIM CARR (Victoria) (14:07): My question is to the Minister for Education and Training, Senator Birmingham. I refer to a recent Parliamentary Budget Office report which found that ‘announced policies to reduce government subsidies and allow universities to set their own fees will lead to a blow-out in the HELP debt’. Minister, is it still government policy to cut university funding and allow universities to set their own fees?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:08): The government will have more to say, as the Prime Minister made very clear today, in relation to education policy before the election, and that will be clear for all Australians. I would draw Senator Carr’s attention to the reality of the PBO report. That report highlights the fact that the expanse of, and growth in, the HELP scheme is largely attributable to the decisions—

Senator Kim Carr: No, that is not right. It said ‘mainly your policy’.

The PRESIDENT: Order! Senator Carr, you have asked your question.

Senator BIRMINGHAM: Don’t burst a button on your waistcoat, Senator Carr! That report says that growth is largely attributable to changes in relation to the demand-driven scheme and is very much attributable to the VET FEE-HELP debacle that those opposite oversaw. Those opposite come in and talk about the expected blow-out in unpaid debt in relation to the HELP scheme, but a very heavy debt weighs on their shoulders as a result of the policy decisions that they made when they were in office. We are attempting to clean that up. We have been working very hard to clean that up in relation to the VET FEE-HELP scheme. We have had to put in place, as the PBO report also recognises, a freeze in relation to the level of VET FEE-HELP debt in place this year so that we can make sure we do stop the growth in those bad debts, that we do get it under control, and we will certainly ensure that we continue on such measures to keep debt under control in the future.

Senator KIM CARR (Victoria) (14:10): Mr President, I ask a supplementary question. I refer to the minister’s statement on Sky News on 4 April:

We still certainly want to find savings in higher education.

Can the minister confirm that the government has told universities that higher education will face further cuts, in addition to the $5 billion of cuts currently in the budget?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:10): Not only can I not confirm what Senator Carr invites me to confirm; I can, in fact, deny what Senator Carr asserts in relation to that. Senator Carr is quite wrong in that regard. What I would, though, make sure Senator Carr appreciates is that, yes, higher education, like all areas of government spending, needs to contribute to a budget sustainability program. That is what this government has been seeking to do—to make sure that all areas of government work towards getting the budget back into balance over time. In higher education, that is critically important because we have seen such phenomenal growth in higher education numbers—which is welcome in terms of participation but does put a heavy burden on the budget. We need to make sure it is sustainable. I want to make sure the HELP scheme, which ensures equitable access for any Australian of any background to go to university, is sustainable into the future.
Senator KIM CARR (Victoria) (14:11): Mr President, I ask a further supplementary question. Will the government's ad campaign to spruik its budget include details of the $5 billion to be cut from Australian universities?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:12): I am not sure there is a word of truth in the question that was just asked. Certainly we will make sure the Australian people understand what our higher education policies are, but we will not be going on a great big spending binge like those opposite. What we see from Senator Carr and his ilk is billions of dollars of additional spending promises which are only funded by $100 billion of new taxes. That is what they are proposing right across all areas of government. More spending and higher taxes is the formula from Senator Carr and those opposite. What we do will be budgeted, it will be affordable and it will ensure sustainability. I repeat again that sustainability in higher education funding is critical because it ensures that any Australian of any background can go to university without having to pay a dollar upfront. (Time expired)

Anti-Corruption Commission

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:13): My question is to the Attorney-General, Senator Brandis. The government and the opposition both claim that no national independent anti-corruption commission is required because there is no widespread evidence of wrongdoing and misconduct in the federal parliament or the Public Service. Given recent examples—the member for Fisher, Mal Brough, and the James Ashby affair; the member for Fadden, Stuart Robert, shoring up his own commercial interests at taxpayer expense; and the secretary of your own department, Mr Chris Moraitis, allegedly offering Professor Gillian Triggs an inducement to leave her position as chair of the Human Rights Commission—how can you be so sure that an independent anti-corruption commission is not required because there is no ‘widespread evidence of wrongdoing or misconduct’?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:14): Senator Di Natale, that is an extremely inappropriate question. Each of the cases you instance is either demonstrated to be false or is the subject of a current investigation. Let me start with the last of the examples you gave. In the case of Mr Moraitis, a very greatly respected and experienced public servant with a peerless career-long reputation in the Australian Public Service, a scurrilous allegation was made against him. A reference was made to the Australian Federal Police, who evaluated the complaint and found there was nothing in it. There was nothing to warrant an inquiry, nothing whatsoever. So that aspersion against Mr Moraitis you should be ashamed of, Senator.

In relation to Mr Brough, there is an Australian Federal Police inquiry ongoing. That inquiry, because it is ongoing, has not reached any conclusion nor is it a matter for Australian Federal Police to arbitrate on guilt or innocence—which you and those who sit behind you have very frequently pointed out in this chamber, Senator Di Natale. And the same goes for Mr Stuart Robert.

Before you start throwing people's names around—people who occupy honourable and senior positions in Australian government and politics—please do not cast an innuendo against people in respect of whom it has been established that there is nothing to be investigated or in respect of whom an investigation is ongoing and has not been concluded.
Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:16): Mr President, I ask a supplementary question. Since 2013, fossil fuel interests have donated $3.7 million to the coalition and the ALP. Attorney-General, does the government object to a national independent commission against corruption because it is concerned that it will uncover evidence of inappropriate practices?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:16): Once again, Senator Di Natale, you really disappoint me. That is a disgraceful innuendo. To suggest that because a political party accepts a donation from a donor—whether it be an individual or a corporate donor—there is somehow a taint of corruption involved is disgraceful. As the High Court of Australia has said, offering and accepting political donations is an aspect of the implied right of freedom of political communication.

The Liberal Party and the National Party accept donations from corporations and persons. So does the Australian Labor Party. We on my side always comply with our declaration obligations under the Commonwealth Electoral Act. I am sure the Australian Labor Party does. Whether you, the Greens, do or not, I do not know, but you are not the hind hand in accepting very large donations yourselves.

Senator DI NATALE (Victoria—Leader of the Australian Greens) (14:18): Mr President, I ask a further supplementary question. The Attorney-General often reminds us of his legal expertise, so I am sure he is familiar with Lord Sumner, who characterised the legal concept of wilful blindness by saying: ‘A man is said not to know because he does not want to know. The full details or precise proofs may be dangerous because they may embarrass his denials or compromise this protest. He flatters himself while his ignorance is safe.’ Attorney-General, does this summarise your position?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:18): No, it does not—because this is not a matter of wilful blindness or blindness at all. Let us be very clear. We have a very thorough system, under the Commonwealth Electoral Act, which requires the disclosure of donations. The purpose of that measure is that it is an integrity measure, so the public can inspect the record and be satisfied that who gives money to which political parties is a matter of transparency. My side of politics complies scrupulously with those obligations.

Senator Di Natale, you seem to be implying that a political party that accepts donations in accordance with the law—from people who, under the law, are entitled to make them—and declares them in accordance with the law and is otherwise compliant with all of its obligations is, somehow, nevertheless subject to a taint of corruption. That is a disgraceful and foolish thing to say. (Time expired)

Economy

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:19): Mr President, my question is to the Minister for Finance, Senator Cormann, representing the Treasurer. Can the minister update the Senate on the government's plans for more investment, more jobs and a stronger economy?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:19): I thank Senator Bushby for
that question. As a government, every single day we are focused on how we can ensure that we attract more investment to create more jobs and to strengthen our economy. Every day as a government we are focused on how we can ensure that we continue to successfully transition from resource investment driven growth to broader grounds of growth in a more diversified economy.

And the government is delivering results. When we came into government we inherited a weakening economy. Today, we are growing at a stronger three per cent. When we came into government we inherited rising unemployment. Today, employment growth is stronger and our unemployment rate, at 5.7 per cent, is well below what had previously been anticipated when Labor was in government. Only yesterday, the Senate supported a government proposal to save tens of thousands of jobs when the Senate voted in favour of Senator Cash's proposal to abolish the Labor and union attack on small business owner-operators in the trucking industry. What a great achievement that was by Senator Cash.

Across the board, the government, every single day, continues to implement its plan for stronger growth and more jobs. That is why we are working on making our tax system more jobs and growth friendly. That is why we are pursuing an ambitious deregulation agenda. It is to ensure we are as competitive and as innovative as possible. That is why we are pursuing a jobs and growth friendly innovation agenda. That is why we are pursuing an ambitious defence industry agenda. That is why we are pursuing an ambitious infrastructure agenda. That is why we are pursuing an ambitious free trade agenda, helping our exporting business get better access to key markets around the world. The Australian people know that this government is focused on stronger growth and more jobs.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:22): Mr President, I ask a supplementary question. How are the government's policies helping to create more jobs and drive stronger growth?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:22): Cleaning up the construction industry will lead to more investment and jobs in the building industry—whether that is in relation to the construction of schools, hospitals, roads or other vital infrastructure—by reducing the cost of construction, reducing the level of lawlessness and getting rid of all the troublemakers that are causing grief outside of the law. We are making it easier for people to invest with confidence in high-quality and necessary projects. By removing taxes, by making our tax system more jobs and growth friendly, by improving our regulatory frameworks, by opening up trade and by investing in innovation and infrastructure, we are strengthening growth and the opportunities for additional investment, which, in turn, will help to create more jobs. The proof of the pudding is in the eating: if you look at what is actually happening in the economy right now compared to what was happening under Labor, the economy is growing more strongly and more jobs are being created. (Time expired)

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:23): Mr President, I ask a further supplementary question. Is the minister aware of any risks to future economic growth and jobs growth?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:23): Yes, sadly, I am. The biggest risk to future economic and jobs growth is Bill Shorten and the Labor Party, because
the Labor Party have not learned anything from their failed past. They have not learned a thing. They are coming up with their tax and spend proposals yet again—more than $100 billion in additional taxes that would be raised under Labor over the next decade, according to their own figures, only to spend it all and more; $100 billion in additional taxes. What do you think that will do to economic growth and investment? It will undermine our successful transition from resource-investment driven growth to broader drivers of growth.

Then of course there is their proposal to increase capital gains tax, which will drive down investment. There is their ill-thought-out proposal to make changes to negative gearing, which will drive down the value of property, push up the cost of rent, reduce the level of investment in the housing sector and make it harder for middle-income families across Australia to get ahead by leveraging their existing income and assets to strengthen their own opportunities.

(Time expired)

Taxation

Senator POLLEY (Tasmania) (14:24): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the Prime Minister's plan for double taxation and to the response of the Tasmanian Treasurer, Mr Gutwein, that the plan would mean 'that each Tasmanian would need to pay around $4,500 per year in additional taxation.' Why does Mr Turnbull want Tasmanians to pay $4,500 more in taxation each year?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:25): The Australian government and the Prime Minister have no plan for double taxation. What we have is a plan to keep taxes low. We have a plan to ensure that there is no increase in the overall level of taxation on Australian families. That is our plan. I am not familiar with the remarks made by the Treasurer of Tasmania, but after question time I will look them out. Senator Polley, I am glad you raised this question of taxation, because you are right to apprehend that it is one of the big differences between your side of politics and mine. On my side of politics what we want to do is to keep the tax burden low and to ensure that there is no increase in the overall level of taxation upon Australian taxpayers, families and businesses.

The contrast could not be more stark between our attitude and the attitude of the Australian Labor Party. As we heard from Mr Chris Bowen, interviewed by Tony Jones on Lateline as recently as last Thursday night, the Australian Labor Party intends to raise an extra $100 billion from taxpayers—

Senator O'Sullivan interjecting—

Senator BRANDIS: Yes, you heard it right, Senator O'Sullivan—an extra $100 billion from Australian taxpayers over the next 10 years. If that were not bad enough, there was no commitment from Mr Bowen to return one dollar of that extra taxation to the budget bottom line. We have our plan for there to be no increase in the overall level of taxation; your plan is to increase taxation.

Senator POLLEY (Tasmania) (14:27): Mr President, I ask a supplementary question. I refer again to Mr Gutwein, who says that under the Prime Minister's double taxation plan 'the largest states will be at a significant advantage.' Why is the Prime Minister proposing a tax plan that sells smaller states like Tasmania down the river?
Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:27): As I said to you in answer to your primary question, I am not familiar with Mr Gutwein's remarks, but I will have a look at them. But as you would be aware, coming from a small state, Senator Polley, the whole point of horizontal fiscal equalisation is to ensure that there is a reasonable level of equivalence between the services delivered to all the states of the Commonwealth and in all regions of the Commonwealth. Since you have raised the subject of taxation, may I remind you that it is your side of politics that has already, in its year of ideas, announced five new tax increases. By the way, that was before Mr Bowen's revealing interview last Thursday night, in which he said that the tax burden on Australians under a Labor government, were there to be one, would increase by $100 billion over the next 10 years. That is your tax policy, Senator Polley. You do not think Australians pay enough tax; we think they pay just enough. (Time expired)

Senator POLLEY (Tasmania) (14:28): Mr President, I ask a further supplementary question. Did the Prime Minister discuss his anti-Tasmanian tax plan with senior Tasmanian backbencher, Senator Abetz, prior to his announcement?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:29): I am sure the answer to that question is no, given that there is no such plan. One cannot have a conversation about a non-existent proposition. The only tax plan for which the Turnbull government stands is a plan not to increase the overall level of taxation on Australians. By contrast is the tax plan for which you stand: a tax plan which includes, by the way, doubling the capital gains tax on investments; a tax plan which, because of the negative gearing changes you so recklessly propose, would reduce the value of every home in Australia—the principal asset class of all Australians. Reduce the value of their homes while driving up rents—that is your tax plan. We look forward to the argument.

Defence Procurement

Senator EDWARDS (South Australia) (14:30): Thank you, Mr President. My—

Senator Cameron: When are we getting those 12 submarines?

Senator EDWARDS: You lightweight! Slagging and bullying are engrained in your union DNA. You are a lightweight.

Opposition senators interjecting—

The PRESIDENT: Order. Senator Edwards!

Senator EDWARDS: My question—

The PRESIDENT: Just a moment, Senator Edwards.

Honourable senators interjecting—

The PRESIDENT: Order! Senators on my left! Senator Edwards, if you have a question, ask a question.

Senator Cameron interjecting—

The PRESIDENT: Order, Senator Cameron!

Honourable senators interjecting—

The PRESIDENT: Order, on both sides. Senator Edwards.
Senator EDWARDS: Thank you, Mr President. My question is to the Minister for Defence, Senator Payne. Can the minister advise the Senate how the government's continuous naval shipbuilding strategy will benefit Australian workers and industry?

Senator PAYNE (New South Wales—Minister for Defence) (14:31): I thank Senator Edwards for his question and for his very strong advocacy of Australian industry and our economy. I am very pleased to say that the government's continuous shipbuilding strategy will have significant benefits for workers in the shipbuilding industry. Our plans for a continuous build of major naval ships in Adelaide and other vessels in Western Australia will secure more than 2,500 shipbuilding jobs for decades to come.

Senator Kim Carr interjecting—

The PRESIDENT: On my left! Senator Carr!

Senator PAYNE: For the first time, these workers in this country will have a career that is not constantly interrupted when one project ends. That is what a continuous build philosophy actually does. But, in terms of broader benefits to the Australian industry and to workers—which Senator Edwards asked about—the 2,500 shipbuilding jobs figure does not even include the thousands of indirect jobs that will be created through the supply chains that are needed to support the shipbuilding industry. So some of those immediate supply chain jobs which would be included in this consideration are related to the development of infrastructure at shipyards. They might also include metal fabrication or the manufacture of leading edge electronic systems. In fact, the opportunities are absolutely enormous.

Senator Kim Carr interjecting—

Senator Cameron interjecting—

The PRESIDENT: Senators Carr and Cameron!

Senator PAYNE: That is why this government has recognised the Defence industry as a fundamental input into capability in the defence white paper and the defence industry policy statement for the first time.

We are actually getting on with the job. We have made very important announcements in relation to naval shipbuilding—in complete contrast to those opposite who did absolutely nothing. Not one order placed with an Australian shipyard—nothing. That is the difference.

Senator EDWARDS (South Australia) (14:33): Mr President, I ask a supplementary question. Will the minister explain how the government's continuous naval shipbuilding strategy will help to drive innovation, develop cutting edge technology and transition to the new economy?

Senator PAYNE (New South Wales—Minister for Defence) (14:33): That is a really good question. To deliver and to implement our plan for a sustainable naval shipbuilding industry, both Defence and industry need to become more innovative. We need to continue the development of cutting-edge technology, for which Australia is already particularly well known. For example, one of the key technologies that we will include in the Future Frigate will be the phased array radar system that was developed right here in Australia by CEA Technologies. It is both innovative and cutting-edge, and it will provide the Australian Defence Force with unique home-grown capability. That is only one example of the sorts of
technologies that need to be developed not just for the Future Frigate but for our other naval vessels, for which there will be others required as well.

As we develop indigenous technology and indigenous business like that, and as we grow Australian industry, we are also going to be able to enjoy spillovers into other sectors. Often the technologies that are developed to support defence capability needs can be used and commercialised in other areas as well. That is what is going to drive our nation into a 21st-century economy. (Time expired)

Senator EDWARDS (South Australia) (14:35): Mr President, I ask a further supplementary question. Can the minister advise the Senate how the government will maximise Australian industry involvement in our shipbuilding programs?

Senator Kim Carr interjecting—
Senator Edwards interjecting—

The PRESIDENT: You have asked your question. Order, Senator Edwards and Senator Carr!

Senator Kim Carr interjecting—
Senator Edwards interjecting—
Senator Ian Macdonald interjecting—

The PRESIDENT: Senator Carr and Senator Edwards, it is disorderly to talk across the chamber. And Senator Macdonald.

Senator Cameron interjecting—
Senator Ian Macdonald interjecting—

The PRESIDENT: Senator Cameron and Senator Macdonald!

Senator PAYNE (New South Wales—Minister for Defence) (14:35): Thank you very much, Mr President. Such a great interest in maximising Australian industry involvement—which is very important. Each of the short-listed designers for the Future Frigate and the Offshore Patrol Vessels programs will be required to develop an Australian industry capability plan that maximises opportunities for small to medium Australia suppliers in both the build and sustainment phases. Those plans are required to include a strategy to transition their existing supply chains to Australian supply chains and to explore opportunities to integrate their Australian suppliers into the global supply chains.

The small- to medium-sized industry, which is so predominant in the Australian defence area, will also be assisted by the government's Centre for Defence Industry Capability, which, as you know, Senator Edwards, will be headquartered in Adelaide. It will help them to better understand and meet the opportunities offered through these very substantial projects.

Our commitment to a strong defence industry, as set out in our defence white paper and defence industry policy statement, is a key pillar of our shipbuilding program.

Education Funding

Senator LAMBIE (Tasmania) (14:36): Mr President, my question without notice is to the education minister. I refer the minister to the public comments of the Tasmanian Liberal education minister, Jeremy Rockliff, on Friday, 8 April, where he stated, 'State schools would
be $100 million worse off in 2018-19 without Gonski funding.' Will the minister today guarantee $100 million of Gonski funding for our state schools?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:37): I thank Senator Lambie for her question. What I certainly guarantee, Senator Lambie, is that funding has grown over the last couple of years at record levels into schools right around Australia, including government schools in Tasmania, and that funding will continue to grow at record levels this year into schools in Tasmania and next year into schools in Tasmania. Beyond that, Senator Lambie, I give you—through you, Mr President—the assurances that funding will keep growing year on year on year thereafter, that there is a guarantee from this government that we will maintain and grow funding for schools right around Australia and that that funding will ensure that schools who are currently doing more as a result of the additional funding they have received will be able to keep doing the things they are currently doing. Schools who are planning to do more next year as a result of additional funding they receive will be able to keep doing those things, because funding will keep up with costs, it will keep up with enrolments and it will ensure that there is money there for our schools into the future.

As I have said in this place before and in many other places, money is important in schools, but how you use it matters even more. That is why the government are committed to ensuring that we deliver on teacher quality reforms, that future teachers who have gone through our universities for primary schools have specialisations in maths, science, literacy and languages, and that those teachers actually meet minimum standards in terms of their own literacy and numeracy capabilities.

Senator O'Neill: It's all talk!

Senator BIRMINGHAM: No, it is not all talk, Senator O'Neill. These are reforms that states and territories have agreed to, are working with us on, are being delivered through AITSL—

Senator Lambie: Mr President, I rise on a point of order.

The PRESIDENT: Pause the clock.

Senator Lambie: I simply asked for a guarantee that $100 million of the Gonski funding to our state schools will be guaranteed. I do not need a tap dance. Tasmanians simply want to know. One hundred million dollars—are you going to guarantee the Gonski funding?

The PRESIDENT: The minister was addressing the question in relation to guaranteeing an increase of funding. The minister has 14 seconds.

Senator BIRMINGHAM: I am more than happy to tell Senator Lambie that Tasmanian funding will grow by $54.3 million, or 15.4 per cent over the four-year period of the current budget cycle. It is significant growth—(Time expired)

Senator LAMBIE (Tasmania) (14:40): Mr President, I ask a supplementary question. I refer the minister to his answer and to the Tasmanian Liberal state education minister's additional statements, where he said that he 'fears Tasmanian school children could be entrenched in disadvantage should the federal government not commit to two years of Students First funding.' Does the minister agree with his Liberal state colleague and what plan does he have to prevent entrenched disadvantage for Tasmanian school children?
Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:40): Our plans for school children right around Australia—and in Tasmania in particular, for Senator Lambie—are to continue to grow school funding and to ensure that school funding is delivered on the basis of need. Our plans are that, where there are communities of higher socioeconomic disadvantage, schools receive a loading to support those students; that, where there are students with a disability, those schools get a loading to support the educational assistance and adjustment required for those students with disability; and that, where there are students from an Indigenous background, they receive additional assistance.

These are the commitments that the government make. We will make sure the funding is there, that it is budgeted and that it is deliverable, but also that it is affordable. Most importantly, we will work with the states and territories to ensure reform in our schools so that the money is used as effectively as possible on effective national curricula, on teacher quality reforms, on parental engagement, on measures that lift engagement in science, technology, engineering and mathematics— (Time expired)

Senator LAMBIE (Tasmania) (14:41): Mr President, I ask a further supplementary question. Can the education minister explain to the Tasmanian schoolchildren that he has abandoned why he is still committed to former education minister Pyne's higher education changes that will guarantee degrees of up to $100,000 and open up Tasmania to the sort of rorting of $6 billion that has plagued the privatisation of Australia's vocational educational training program?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:42): Firstly, in relation to the assertion that we have abandoned any children, let me again restate for Senator Lambie: more than 15 per cent growth in funding to Tasmania—funding that will continue to grow in relation to schoolchildren. Let me secondly deal with the issue in relation to higher education. I have to say that working, as Senator Ryan is now doing, to clean up the VET FEE-HELP mess of those opposite was indeed a scarring experience and one that means I am determined to make sure that any future reforms in higher education—to the HELP scheme or otherwise—ensure the sustainability of that scheme, ensure that students are actually getting value for money in whatever education is there and ensure that we put in place measures that guarantee equity of access to students.

Senator Lambie: Mr President—

The PRESIDENT: Pause the clock.

Senator BIRMINGHAM: Just because you do not like the answer, Senator Lambie—

Senator Lambie: Mr President, I rise on a point of order. I just want a guarantee that degrees are not going to cost $100,000. That is what I want to know; that is what Tasmanians want to know.

Senator Bernardi: I agree with Jacqui—the education system has clearly failed her!

The PRESIDENT: Order! Senator Lambie, you did ask the minister at the front of your question 'could he please explain,' and several items. The minister has been explaining.

Senator Cameron: Mr President, I rise on a point of order. Senator Bernardi cast aspersions on Senator Lambie. He should withdraw.

Honourable senators interjecting—
The PRESIDENT: Order on both sides! Senator Bernardi, I did not hear anything that may have been said, but if you did say anything inappropriate I would ask you to withdraw.

Senator Bernardi: No, I did not say anything inappropriate.

Senator Cameron: Mr President, I rise on a point of order. I do not know what you have to do to cast an aspersion on a fellow senator other than to say that the education system in Tasmania has failed the senator. It should be withdrawn.

The PRESIDENT: On the point of order, Senator Bernardi?

Senator Bernardi: I think Senator Cameron did accurately reflect what I said. I still do not believe it is unparliamentary, but I am happy to take guidance from you, Mr President.

Honourable senators interjecting—

The PRESIDENT: Order! On both sides. There are two aspects to the point of order. Firstly, Senator Bernardi did not have the call, and, secondly, it was not directly attributed to Senator Lambie in an adverse way.

Honourable senators interjecting—

The PRESIDENT: Order! Senator Bernardi, so we can progress, you did offer to withdraw if it assisted the chamber. It will assist the chamber if you wish to withdraw.

Senator Bernardi: You are giving me an option to opt out, but I will withdraw if it assists you.

The PRESIDENT: Thank you, Senator Bernardi. That assists the chamber, so we can progress. Just before I move to Senator Wong, we do have eight seconds left. Minister, have you concluded your answer?

Senator BIRMINGHAM: I offer an assurance that anything this government has in relation to higher education reforms will ensure fair and equitable access for all Australians of all backgrounds, without having to pay a dollar up-front. (Time expired)

Donations to Political Parties

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:45): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to evidence to the New South Wales independent investigation against corruption that showed Senator Sinodinos was a participant in at least one meeting that discussed facilitating the making of prohibited donations to the New South Wales Liberal Party through the Free Enterprise Foundation. Did the Prime Minister ask Senator Sinodinos to provide a full account of his conduct before he appointed him to his cabinet?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:46): Senator Wong, as you know, no findings adverse to Senator Sinodinos whatsoever have been made—

Senator Wong interjecting—

Senator BRANDIS: and given that you know that—as you have, just across the table, intimated to me that you do know that—it is very inappropriate for you to base a question on an innuendo, well knowing that no adverse finding against the honourable senator was made.

The PRESIDENT: Point of order, Senator Wong?
Senator Wong: My point of order is direct relevance. I referred to the New South Wales independent investigation against corruption. I referred to that evidence and I asked if the Prime Minister had asked Senator Sinodinos to provide a full account of his conduct before he appointed him to the cabinet. A discussion about whether or not there are ICAC findings is not an answer to that question.

The PRESIDENT: Yes, I accept that, Senator Wong. Senator Brandis, you have one minute and 35 seconds in which to answer the question.

Senator BRANDIS: I intend to, but I just thought I should begin by pointing out the inappropriateness and, indeed, unfairness of the premise of the question, when the senator well knows that no adverse finding was made. You are referring to evidence, Senator. Evidence is given in courts, tribunals, commissions and hearings all the time.

Senator Kim Carr: Certainly not given here!

The PRESIDENT: Order! On my left.

Senator BRANDIS: All sorts of allegations are made against people all the time, and the fact that the statements are made does not make them true. If they are not supported by a finding by the relevant court, tribunal, commission or board, they amount to nothing. Now, coming directly to your question, Senator Wong, the Prime Minister most certainly was satisfied that, when he invited Senator Sinodinos to be a member of his government, in every respect he satisfied the requirements of the ministerial code of conduct and was a person of integrity, as we all know him to be.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:48): Mr President, I ask a supplementary question. Is the Prime Minister aware of findings of the New South Wales Electoral Commission that implicate Senator Sinodinos in the improper channelling of prohibited donations to the New South Wales Liberal Party through the Free Enterprise Foundation? If so, why has the Prime Minister not stood aside Senator Sinodinos from his position as Cabinet Secretary at the apex of his government?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:48): Senator Wong, I am sure the Prime Minister knows of no such findings, because there have not been any. I notice you choose to use the weasel word 'implicate'. If you can point to a finding against Senator Sinodinos, point to it, and if you cannot, desist.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:49): Mr President, I ask a further supplementary question. Through you, Mr President, I note that Mr Abbott stood aside Senator Sinodinos pending the outcome of a New South Wales Independent Commission Against Corruption inquiry considering his conduct. In contrast, Mr Turnbull gave him a promotion. What does that say about Mr Turnbull's ministerial standards?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:49): Senator Wong, I challenged you to point to a finding against Senator Sinodinos and you were unable to do so, which is the clearest proof to every man and woman in this chamber that that question should never have been asked. You should be ashamed of it.
Broadcasting Legislation

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:50): My question is to the Minister for Communications. Can the minister advise the Senate why media reform is an important part of the government's economic plan?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:50): I thank Senator Smith for his question and also acknowledge his expertise in this area. He is someone who, from his former professional experience, understands that the line is ever blurred between carriage providers, content providers and media organisations.

As all colleagues should know, media reform is important because it is part of managing the transitioning economy. One of the issues with the media laws that we currently have is that those that govern what are sometimes called 'traditional media platforms'—or, as those media organisations prefer to be known, 'media organisations of long standing'—were crafted in the year 1987, which, as Senator Smith, Senator Payne and, I think, Senator Conroy would know, was the year that New Order released their landmark album Substance on both vinyl and CD. To be fair, it is not actually an album that formed part of the genre of tastes of the Attorney. That is recognised. But I think that cultural reference indicates just how out of date our media laws are.

The media laws that we have and that this government is looking to remove are sensational in many respects, apart from the fact that they do not recognise the fact that the internet exists. That is a small problem. They cater for newspapers, commercial radio and commercial TV, but the internet is not something that was contemplated by the drafters of the law at that time, which is why we are looking to remove the reach rule and the two-out-of-three rule.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:52): Mr President, I ask a supplementary question. Can the minister update the Senate on responses to the government's media reform bill?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:52): I can indeed cite some responses from media organisations about our proposed media reforms, which had, as the Prime Minister has referenced on a number of occasions, been kicked into the long grass for too long. For example, Ian Audsley, the CEO of the Prime Media Group, told a Senate inquiry recently:

This bill is a very positive first step in media reform, which is needed in a rapidly changing media environment.

.......

Without the ability to unleash ourselves from the regulations and to organise ourselves in a more efficient manner—that is, consolidate—our future will be one of struggle.

The editor of AdNews, Rosie Baker, wrote:

Without reform, the Australian media industry can only slow down and go backwards. If we continue to stall until we find a perfect solution that addresses every element for every media player, no progress will be made at all and everyone stands to lose.
**Senator SMITH** (Western Australia—Deputy Government Whip in the Senate) (14:53): Mr President, I ask a further supplementary question. Can the minister explain why the abolition of the two-out-of-three rule is so important?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:53): As I indicated, the two-out-of-three rule is one element that we are looking to remove from Australia's media rule. Principally, the issue here, as I referenced before, is that it does not recognise that the internet exists. We have to enable media organisations to configure themselves in the way that best suits them. We also are keen to get rid of the 75-per-cent-audience-reach rule, which I know those opposite support, but it would be tremendous if the parliament could see its way to removing both of those rules and see them as a package. I again acknowledge Senator Smith, who is someone who is not just looking at this reform; he is someone who is always looking over the horizon at the next reforms that need to be undertaken in Australia's media law.

**Women's Workforce Participation**

**Senator MOORE** (Queensland) (14:54): My question is for the Minister for Women, Senator Cash. I refer to the alarming rates of discrimination and sexual harassment that still occurs for women in the workplace, as well as the ongoing gender pay gap between women and men. I also refer to the Working Women's Centre in my home state of Queensland, as well as the other centres in South Australia and the Northern Territory, which provides support for vulnerable working women in the community through a free specialist employment service. Is the minister aware that federal funding for these working women's centres is due to cease from 30 June 2016?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:55): I thank Senator Moore for her question. The answer is yes, and I am currently considering it.

**Senator MOORE** (Queensland) (14:55): Mr President, I ask a supplementary question. In those considerations, can the minister ensure that the funding for working women's centres is maintained at current levels or more beyond 2016?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:55): I refer you, obviously, to my previous answer.

**Senator MOORE** (Queensland) (14:55): Mr President, I ask a further supplementary question. I refer to the Abbott-Turnbull government's commitment to the gender participation target at the Brisbane G20. How can Australia meet this target when the government is still considering cuts to vital services which help women to remain in employment and in the workforce?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:56): I do not agree with the premise of your question. This government is fundamentally committed in particular to increasing women's workforce participation and to meeting our G20 target. In fact, senators would be aware that it was under this coalition government that G20 leaders agreed that we all needed to do more to increase women's workforce participation. We have a clear plan in relation to increasing women's workforce participation, in particular in relation to our small
business agenda, because, as we know, the number of women in small business in particular has been increasing over the last 10 years; our investment in particular in STEM, because we understand that, if we are going to decrease the gender pay gap, we have to get more young girls into those roles.

**The PRESIDENT:** Pause the clock.

**Senator Moore:** Mr President, I rise on a point of order. Though I appreciate the comments that the minister is making, it would be useful if the working women’s centres could be somehow addressed in her answer.

**The PRESIDENT:** The minister has been relevant to the answer. She indicated up-front that she did not accept the premise of the question. Minister, you have the call.

**Senator CASH:** As I was saying to Senator Moore, we need to ensure that more young girls in particular have the opportunity to go into careers that are going to have those higher paid roles. In the same respect, though, many people often forget that we also need to encourage—(Time expired)

**Education**

**Senator McKenzie (Victoria) (14:57):** My question is to the Minister for Education and Training, Senator Birmingham. Will the minister update the Senate on the majority report of the Education and Employment Legislation Committee findings into the Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Bill 2015?

**Senator Birmingham (South Australia—Minister for Education and Training) (14:58):** I thank Senator McKenzie for her question and for her work as chair of that committee and, indeed, her work on that report, as in all education areas. The childcare reforms of the Turnbull government are an important and critical workforce participation measure. They are part of our economic reforms, particularly in the way in which they help to support families who need child care most to get the greatest support—those who work the hardest to get the greatest number of hours of child care—whilst also supporting a strong early learning system. What this government recognises is that we need to—and the report of Senator McKenzie’s committee recognises this—deliver funding under our reforms to those who are working, training, studying, volunteering or looking for work. We ensure that those families who require child care due to work schedules are the prime intended beneficiaries of government subsidies. There are important recommendations and findings of the majority report, which highlights that current childcare structures create a situation where taxpayers and families are often paying for childcare services that are not needed or not used—money of families that is going to waste; taxpayers’ money that is going to waste. We better target the support.

The report rightly highlights some of the positive comments in relation to our childcare reforms. The Australian Childcare Alliance said that it ‘recognises the many positive aspects of this package’, particularly ‘the increased threshold from $7,500 to $10,000 for middle-income families’. In fact, we are supporting families all the way up to $185,000 in income to be able to get that increase in childcare support, to pay the bills of their child care, to help them in their workforce participation and to help them access early learning opportunities. It is important that we recognise that around one million Australian families will benefit as a
result of these reforms, warmly endorsed by Senator McKenzie and her committee. *(Time expired)*

**Senator McKenzie** (Victoria) (15:00): Mr President, I ask a supplementary question. Would the minister inform the Senate if there were any dissenting views?

**Opposition senators interjecting—**

**Senator Birmingham** (South Australia—Minister for Education and Training) (15:00): There were dissenting views, and it may come as a surprise to people to know that some of those we hear carping and whining opposite us were, in fact, the authors of those dissenting views.

**Opposition senators interjecting—**

**Senator Birmingham:** I know—shocked and surprised, I am sure. Labor, of course, in their dissenting comments say they want increased investment and they want to spend more, but they do not define where they want to spend it or where the money will come from, which, of course, is the standard Labor mantra. We have a budgeted, costed proposal that puts $3 billion of extra support into helping families, helping children and helping workforce participation. They say there should be more, but they do not say where it should go and they do not say where the money should come from. Labor, of course, argue that increased investment 'should not go to the profit margin of providers'—that is in the dissenting report—yet they oppose the hourly fee cap that we want to apply to put downward pressure on the growth in fees. So they are opposing the one measure that can actually keep costs under control and keep those profit activities under control. They oppose the activity test, which actually helps to ensure those who need the most support get the most support. *(Time expired)*

**Senator McKenzie** (Victoria) (15:01): Mr President, I ask a further supplementary question. Is the minister aware of any alternatives to the government's approach?

**Senator Birmingham** (South Australia—Minister for Education and Training) (15:01): Aside from some very vague claims of those opposite, I am aware of no alternatives. Mr Shorten was out there earlier today, in fact, saying, 'Family shouldn't have to worry about the cost of child care.' Under a Turnbull government, they know there will be increased investment, targeted to those families who are working the hardest and earning the least, getting the most support from a Turnbull government. But there is no clarity from those opposite as to whether they support our reforms or, if they do not, what the alternative would be. So Australian working families face great uncertainty under what a Shorten government would look like. The boost that could generate and support around 29,000 additional people in workforce participation could be lost without the reforms we have. But, most importantly for families, the additional support that will be available for low- and middle-income families, who will on average be around $1,500 a year better off in paying their childcare bills under our government, would be jeopardised by the lack of plans or detail from those opposite. *(Time expired)*

**Senator Brandis:** I ask that further questions be placed upon the Notice Paper.
Consideration by Estimates Committees

Senator KIM CARR (Victoria) (15:03): Mr President, under standing order 74(5), I seek an explanation from the Minister representing the Minister for Industry, Innovation and Science, Senator Sinodinos, as to why the following 24 questions on notice to the CSIRO from additional estimates remain unanswered: 1, 2, 3, 16, 17, 18, 19, 21, 38, 114, 115, 116, 117, 119, 120, 122, 124, 131, 132, 134, 135, 141, 142 and 143.

Senator SINODINOS (New South Wales—Cabinet Secretary) (15:03): I thank Senator Carr for his question. I have been advised that 99 answers were tabled by the Department of Industry, Innovation and Science earlier today and that the rest will be provided in due course. I have not had the opportunity myself to review all of the questions to see what potentially is stopping further responses being provided with greater alacrity, and I am happy to do that if that will help the process, but I think 99 answers tabled is quite a big effort by the department in relation to, as I understand it, questions that were tabled at Senate estimates. I think it is very important that we not rush the department if we are to make sure that the department gives us the sorts of answers which will satisfy the minister—and, in this case, not just the minister but the shadow minister. So I will make further investigations into the matter. It has not been my practice, I have to admit, to go through each of those answers, but, if the department is finding a problem in providing responses, I will follow up personally with the department, as well as with the minister and his office. But I am concerned that, while this involves certain resources, we make sure we are giving you answers which are not leading to a situation where the answer itself then just leads to further questions because you have not been able to get an adequate answer to your initial question. Having participated in a number of the estimates committee hearings, I have been aware that some very detailed questions have been asked, and I do want the department to take a very forensic approach to this. I appreciate that the senator has been cooperative and patient in the matter, and I will seek to do what I can to deal with it with some alacrity.

Senator KIM CARR (Victoria) (15:05): I move:

That the Senate take note of the minister's failure to provide either answers or an explanation.

In so doing, I indicate that I believe Senator Sinodinos is sincere in his efforts, but there is a fundamental problem here. It is one thing for the minister representing the minister to make an assurance to this chamber, but it is another thing to actually get an answer. There is a big gap between those two events. I raised this issue yesterday, Senator Sinodinos, and sought an explanation yesterday about 29 answers from the CSIRO that were outstanding. I might remind you they have been outstanding since 1 April and these were questions asked a number of weeks prior to that. So it is not a case of not having enough time. This is clearly an example where there has been a failure to respond by 1 April, and now, 19 days later, there remains a failure to respond.

This is an important matter. I understand it is likely that this chamber will not be sitting tomorrow. So it is important to actually get a response today. These are matters that go to a hearing of this committee, which is dealing with the CSIRO, next Wednesday. And so, while I accept that the minister is sincere in his efforts and his commitment to raise the matter with
the relevant minister directly, I urge him to seek to have these answers provided today, not after the hearings which are on Wednesday.

These are significant matters. It is undoubtedly true that there will be other questions. That is the nature of the estimates process. But it is simply not good enough to try to snowball us by suggesting we do not have to actually answer the questions. You indicate 99 questions have been outstanding since 1 April. I specifically asked about the 29 in relation to the CSIRO, and I am seeking to have that matter attended to this afternoon and I would ask if the minister is able to give us a response on timing.

Senator IAN MACDONALD (Queensland) (15:08): I would also like to speak to Senator Carr's motion to take note of the minister's answer. Could I note in passing that Senator Sinodinos, as is his wont, has tried to be helpful and has indicated he will personally follow up those answers. But the absolute gall of Senator Carr in particular, and anyone on the Labor front bench, in complaining about questions not being answered almost leaves me breathless; some would say it is a pity it wasn't speechless! In government, Senator Carr and his colleagues would not answer questions taken on notice for up to three years. In fact, I remember questions I asked still being on the notice paper when the parliament was prorogued for the 2013 election. Senator Carr complains that these have not been answered since 1 April. That is 19 days ago. When I compare that with the months and literally years that Labor ministers failed to even attempt to answer questions, I am, as I say, breathless.

These questions relate to the CSIRO. We are apparently going to be having estimates processes in the not too distant future, as I hear the scuttlebutt around this chamber. I am sure that, if Senator Carr has questions that he must have answers to, then that would be a good opportunity for it. Senator Carr says that a committee of which he is a member is having some hearings next week, relative to this particular topic, and I would expect that, if Senator Sinodinos is not able to provide those answers from the representative minister—I hasten to add that it is not Senator Sinodinos's portfolio; it is a minister whom he represents—and so if they are not available to be tabled in parliament by this afternoon, then Senator Carr will be able to follow those questions up at the hearing.

As I mentioned yesterday, this issue relates, as I understand it, to decisions made by the CSIRO management. The CSIRO is an independent statutory authority. It runs itself. It looks at its resources. It looks at the money that it has available. It looks at what projects it is being asked to research or to conduct further scientific study into. And the management of the CSIRO then determines how it will spend its resources.

The CSIRO announced, quite openly, some time ago, that it was diverting some of its organisation from the pure science of climate change towards how to adapt to climate change—how to ensure sustainability in the face of climate change. Allegations by the Labor Party and the Greens that the CSIRO is slashing staff are simply not true. As I understand it, in the long term the staffing will stay exactly the same at the CSIRO. It is just that scientists will be diverted from dealing with the science of climate change to how to cope with climate change.

I have sat in this chamber and in various committees, and, time and time again, I have heard Senator Carr and his colleagues in the Greens political party saying that the science of climate is settled. How many times have I been told that? Someone help me—was it a hundred times or a thousand times? Senator Carr might indicate how many times he has said
that the science of climate change is settled. If that is the case, why would the CSIRO be spending rare resources—I mean, it is well funded; I understand that the government is providing a record $3.1 billion in the 2015-16 budget to the CSIRO, over the forward estimates. It is a lot of money. But the work that they are doing requires careful spending of that money. And if, as we are continually told, the science of climate change is settled, why would you spend those moneys on research that is over and done with?

Accepting that there is climate change, why wouldn't you put that into what we should do about it and how we can best address the issue of climate change?

What the CSIRO said was that there will be a realignment of activity within its climate change division so that it can focus now on climate change mitigation and abatement—that is, as I said, tackling what we do about it, accepting, as Senator Carr keeps telling us, that the science is settled. This is, as I mentioned at the beginning, an operational decision of the CSIRO, which is an independent statutory authority. In fact, I might even quote Senator Carr, who was the Minister for Innovation, Industry, Science and Research when he said at Senate estimates on 3 June 2008, at the time when the Labor Party had quite substantially cut the CSIRO budget:

… the government has made the budgetary decision. The implementation issues are matters for the CSIRO and the board. The CSIRO board has to sign off on these decisions.

Again, that reinforces what I said, and what I assume the minister has said before: that these are matters for the CSIRO. These are decisions for it to make on how best to allocate the resources it has.

Unlike Labor, who substantially cut the budget of the CSIRO, in the last budget the Turnbull government provided a record $3.1 billion in funding to the CSIRO over the forward estimates. That indicates, again, that this government is serious about funding the CSIRO for the research it does and for the science it brings to this nation, but leaves it to the experts in the CSIRO—the management of the CSIRO—to determine how best to spend the increased money which the government has allocated to the CSIRO, as opposed to what we all remember were the Labor Party's cuts in funding to the CSIRO several years ago. Now, I repeat: in the face of misrepresentations from the Labor Party and the Greens, there will be no net job losses overall across the agency, and all staff entitlements will be fulfilled. The CSIRO, like any good manager, has been in the process of consulting with staff over the period following these announcements and is also seeking input from external stakeholders on how best to use the money the CSIRO has for the climate change area to deal with the impacts of climate change—how to focus on mitigation and abatement.

I have heard calls from the Labor Party and the Greens to delay the implementation of these changes at the CSIRO. But I again say: these are operational matters for the CSIRO, not for the government to make decisions upon. The CSIRO, as I have mentioned, is following its normal consultation process, as required under its enterprise agreement. I understand that its management are assessing the feedback from an extended consultation period in the context of the CSIRO's organisational priorities and their understanding of the CSIRO's future performance against existing contracts and collaboration arrangements. It is my understanding that the CSIRO's chief executive and the executive team will, after these consultations, make the assessments and finalise the planned changes. CSIRO's management, I understand, consider that further significant delays will have a detrimental impact on the staff at the

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CSIRO in that they will be unable to provide certainty in those areas that are directly impacted.

This is another of the Labor Party's furphies—misrepresentations, I might say—designed to divert the attention of the Australian public away from the lack of any real policies of the Labor Party and onto other issues that are not relevant. I have to say that at least Senator Carr raises issues that do have some relevance to policy unlike, regrettably, the Leader of the Opposition in the Senate, who chose to get into the gutter when it came to her opportunity to ask serious questions at question time. All she could do was attempt to slur members of this parliament in a most inappropriate and unfortunate way—and I thank Senator Brandis for pointing out to Senator Wong, and hopefully to the people in Australia, just how inappropriate the opposition Senate leader's supposed questions and slurs on members of this parliament were. But I have diverted myself from the subject at hand, which, as we all recall, was a motion by Senator Carr to take note of the answer given by Senator Sinodinos, who has indicated he would try to get the answers that Senator Carr wanted.

I come back to the question of climate change. I have emphasised that CSIRO are putting less money into what I would call the pure science of climate change and are instead diverting it to mitigation and abatement. That is appropriate. I am one who acknowledges that the climate changes. As I often say, I remember—I was not around, but I have read that Australia was once covered in ice and I have read that at other times the centre of Australia was a rainforest.

Senator Scullion interjecting—

Senator IAN MACDONALD: I was not around, I can assure you. I have been around for a while, Senator Scullion, but—

Government senators interjecting—

Senator IAN MACDONALD: Yes! References have been made to 'dinosaur' when talking about me. I can assure you that I was not around when the dinosaurs did roam, but I understand from reading that the centre of Australia was a rainforest inhabited by, amongst other things, dinosaurs. Clearly, that is not now. Something has happened and the climate has changed. In the last thousand years or so, according to the history books, things have changed again.

I am one of those who acknowledge climate change. I have always been unpersuaded—I do not get into this argument, because I have no scientific background—that it is man's emission of carbon that is causing the climate to change. I wonder how man's emissions interfered with the dinosaurs and the rainforest back in those days, but that is for cleverer people than me to look at.

The point I always make is that if carbon emissions are the cause of climate change now—clearly, it was not back in those days—then Australia and the rest of the world need to be concerned about it and Australia and the rest of the world should do something about it. But when you understand that Australia emits less than 1.2 per cent of the world's carbon you have to understand that reducing Australia's emissions by 10, 20, 30 or 50 per cent, which we are being called upon to do, will not make one iota of difference to the world's changing climate, if it is caused by man's emission of carbon. At such a small level, if you cut Australia's emissions by 100 per cent, if you stopped Australia—that means shut down every
electricity generator, stop every motor vehicle, bus, train, whatever—there would be 1.2 per cent less carbon emitted into the world's atmosphere. I challenge anyone to tell me what impact that would have on the changing climate of the world, if it is caused by man's emission of carbon.

I appreciate and I accept that Australia should always do what the rest of the world is doing with the big emitters—America, China, Russia, India. When they reduce their emissions down to 1.2 per cent then Australia should be part of the global effort. But what Labor had us doing in their time was detrimental to Australian industry and jobs while making no impact whatsoever on the emission of carbon worldwide. There is no sense in flagellating ourselves as a nation for no benefit at all. We were exporting Australian jobs overseas, to China, to India, to North America—places that have very big emission of carbon. We were sending the jobs of our workers over there, because the Labor Party government was penalising the industries that those workers worked in in Australia.

Australia used to be recognised as having the cheapest and best energy source in the world. We had a good manufacturing industry because we had cheap power. I know this from up in my part of the world at Sun Metals, the zinc refinery in Townsville. Sun Metals came to Townsville because we had good, cheap power, but I guess that 30 years on they wish they had never seen Australia, because power prices are so expensive. Why? Because Labor governments keep increasing the cost of power through things such as the carbon tax.

I have strayed slightly off the CSIRO aspect. I will come back to it now. It is an important issue that CSIRO be able to deal with and manage their budget in the best way they see fit. I have great confidence in the CEO and the board of CSIRO to do that in the most appropriate way.

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:28): The procedure which Senator Carr has adopted this afternoon is the procedure provided for by standing order 74(5). It is a procedure that I have noticed that the opposition have availed themselves of with increasing frequency in the course of this year and last year. It has been used in effect to create another occasion for what amounts to a 'taking note' debate. The parliamentary tactic, as it were, seems to be that the opposition will identify a question—it could be on any topic under the sun—for which there has been default of compliance by the relevant minister in meeting the relevant time for answer. An explanation is sought and then a debate, often a very long debate, is embarked upon in the Senate, which canvasses broadly that issue, and often beyond that issue, the minister's performance and so on.

One must ask, Mr Deputy President, whether that is an entirely appropriate use of standing order 74(5) procedure. I want to make some comments on what I would respectfully submit ought to be allowed and not allowed by this procedure.

**The DEPUTY PRESIDENT:** Senator Brandis, it sounds to me like you are raising a point of order.

**Senator BRANDIS:** No, I am not.

**The DEPUTY PRESIDENT:** The question before the chair is to take note of the minister's failure to provide answers to the explanation—

**Senator BRANDIS:** under standing order 74(5).
The DEPUTY PRESIDENT: I am not sure that the comments you are making right now are in fact relevant to that question.

Senator BRANDIS: They are, as I will make apparent to you. This is what Senator Sinodinos can have been asked to do under paragraph (5) of standing order 74:

(5) If a minister does not answer a question on notice asked by a senator within 30 days of the asking of that question, or if a question taken on notice during a hearing of a legislative and general purpose standing committee considering estimates remains unanswered after the day set for answering the question, and a minister does not, within that period, provide to the senator who asked the question an explanation satisfactory to that senator of why an answer has not yet been provided:

(a) at the conclusion of question time on any day after that period, the senator may ask the relevant minister for such an explanation; and

(b) the senator may, at the conclusion of the explanation, move without notice—that the Senate take note of the explanation; or

(c) in the event that the minister does not provide an explanation, the senator may, without notice, move a motion with regard to the minister's failure to provide either an answer or an explanation.

Senator Kim Carr interjecting—

Senator BRANDIS: Senator Carr this afternoon has not availed himself of the procedure provided for by subparagraph (5)(c)—that is, a motion with regard to the minister's failure to provide either an answer or an explanation—but rather that the Senate take note of the explanation, which is not subparagraph (5)(c), Senator Carr, as you have just interjected, but paragraph (5)(b). So you have taken the procedure under standing order 74 subparagraph (5)(b). And that asks us to consider the sufficiency of the minister's response or explanation of the failure to provide an answer. Senator Sinodinos has done so, Senator Carr. Senator Sinodinos, who is the minister with responsibility for this area involving the CSIRO, acknowledged in the explanation that he provided to you that there are some questions that are overdue.

The first point to be made is that it is not at all uncommon. It is the most common thing in the world for answers to questions taken on notice to be overdue. I am not saying that that is not a failure to comply with the requirements of the standing order—it is—but it is also a very commonplace thing. Although I do not have the statistics to hand, I can assure you, Senator Carr, because I did look at these statistics some time ago, that this government's record in complying with time lines for questions taken on notice—questions placed on notice with the Clerk and, more importantly, estimates questions—is much, much better than the record of the previous Labor government. And if I may say so, Senator Carr, it is much better than your personal record when you enjoyed ministerial office.

Senator Kim Carr: Mr Deputy President, on a point of order: the minister has grossly misrepresented me.

The DEPUTY PRESIDENT: That is not a point of order.

Senator Kim Carr: The committee secretariat has just rung to say that the department is chasing up the CSIRO to get these answers this afternoon.

The DEPUTY PRESIDENT: Senator Carr, that is not a point of order; it is a matter of debate.

Senator BRANDIS: Thank you, Senator Carr, I am very pleased to hear that—
Senator Kim Carr: So stop wasting time!

Senator BRANDIS: I will take that interjection. Having a debate about compliance by the government with the requirements of a standing order of the Senate is hardly, on one view, 'wasting time'. Nevertheless, it is a question of whether the procedure provided for by standing order 74 or debate of the kind that you have brought on this afternoon—it was you who brought this debate on, Senator Carr, and not any government senator—is really the most appropriate use of the Senate's time in pursuing these lines of inquiry. A fortiori, Senator Carr, as you have just advised the Senate, you are anticipating receiving the answers this afternoon.

Senator Kim Carr interjecting—

Senator BRANDIS: Sorry, Senator Carr, have I misrepresented what you said?

Senator Kim Carr: Yes, you did. You do it all the time.

Senator BRANDIS: Then let me withdraw and rephrase. What I understood you to say, Senator, is that you have been advised that the department was chasing the answers this afternoon—

Senator Kim Carr: As a result of these proceedings.

Senator BRANDIS: Well, you did not say that. Are you saying that now, Senator Carr? It seems to me, with respect, that what is happening is that you are accusing Senator Sinodinos—who is a very conscientious minister and, because of his long service at the highest levels of the bureaucracy in the Prime Minister's office, has more knowledge of the machinery of government than any senator on either side of this chamber—of being somehow delinquent in his obligations to the Senate. I rise to the defence of my friend Arthur Sinodinos in saying that that is not so.

Senator Kim Carr: You should listen before you put your foot in it again!

Senator BRANDIS: Senator Carr, you are being offensive. As you know, I do not stoop to that. If that is the way you choose to conduct your parliamentary behaviour, that is entirely a matter for you. Nevertheless, I understood you to be saying that the department is chasing the CSIRO this afternoon, and the inference I drew from your interjection was that you expected to get these answers imminently. If you expect to get these answers imminently, Senator Carr, I wonder why it is that the Senate is being delayed by this procedure when perhaps a polite letter to Senator Sinodinos might have sufficed. I wonder aloud that perhaps you could respond at some stage, in some manner, as to whether a polite letter or even a telephone call might have been the appropriate course to take.

Nevertheless, let us come to the subject matter of the question. The subject matter of the question, Senator Carr, is in relation to certain administrative and, in particular, budgetary decisions that were made within the CSIRO. You criticised the government for having made those budgetary decisions. And they bear, in particular, as I understand it, on decisions made internally, within the CSIRO, not by the minister. Senator Sinodinos, of course, represents the Minister for Industry, Innovation and Science in this chamber. The minister, as we know, is the distinguished member for Sturt, the Hon. Christopher Pyne. So if there is a delinquency here—and I am not suggesting that there is; you are the one making that suggestion—it is not the delinquency of Senators Sinodinos. He is merely answering to the Senate and providing the Senate with information on behalf of a House of Representatives minister. Secondly, Senator Carr, in both the debate you have initiated this afternoon and in questions which not
merely today but in previous weeks you have directed to Senator Sinodinos, you seem to be implying that the decision in relation to resource allocation within the CSIRO is somehow a ministerial decision. Senator Carr, as a former minister yourself—

The DEPUTY PRESIDENT: Senator Brandis, it would be more appropriate if you addressed your remarks to the chair.

Senator BRANDIS: I am sorry, Mr Deputy President; you correct me quite rightly. Through you, Mr Deputy President: Senator Carr, as a former minister in the portfolio yourself, you should know that decisions of the kind which are being inquired into by these questions are administrative decisions; they are not ministerial decisions. Of course, ultimately, under the principles of responsible government and section 64 of the Constitution, the minister must take ultimate responsibility for them. Nevertheless, the decisions are administrative and managerial decisions—not Mr Pyne's decisions and, certainly, not the decisions of Senator Sinodinos, who represents Mr Pyne in this chamber.

So what are the decisions about to which the questions were directed? Through you, Mr Deputy President: Senator Carr, you will appreciate that this is not an area in which I have ever been either the minister or the shadow minister. As I understand it, the decisions were in relation to the climate science area of the CSIRO. I have followed this debate, Senator Carr. I have followed it, in particular, through what I have always found to be the very illuminating contributions of my friend Senator Ian Macdonald, who makes the point, time and again, that there is an inconsistency in the Labor Party's position on this matter. On the one hand, times beyond number and for years on end, we have heard you and Senator Penny Wong and others say that, in relation to climate science, 'the science is settled'. That has been your constant refrain; it has been your mantra; it has been in pectore your most cherished belief that the science is settled. Yet you come into this chamber and condemn the government for making a decision which apparently acknowledges a fact that you have for so long asserted as an article of faith—that the science is settled.

Senator Siewert interjecting—

Senator BRANDIS: Senator Siewert, I will take that interjection. I am not embarking on this debate myself; I am simply challenging the illogic of the proposition being advanced by the Labor Party. On the one hand they say the science is settled but on the other hand they say it is a disgraceful thing that we should make adjustments to our premier public sector scientific research agency that would reflect the 'fact' that 'the science is settled'. For heaven's sake, Senator Carr—through you Mr Deputy President—if the science is settled, why do we need research scientists to continue inquiring into the settled science? Wouldn't it be a much more useful allocation of taxpayers' money, and research capacity within CSIRO, for CSIRO to allocate its resources to an area where the science is not settled? Wouldn't it, Senator Carr?

Senator Carr, you are the one who says the science settled. I do not. I am aware that there are a number of views about the two questions of the nature and the causes of climate change. It does not seem to me that the science is settled at all. I am not a scientist—I am agnostic, really, on that question—but I can follow a logical argument. It seems to me that if you are the party, the senator and the advocate who says the science is settled, it hardly lies in your mouth to criticise the government, the CSIRO or those who manage and administer its resources for allocating their resources to reflect a fact that you yourself assert. That is the falseness of your position, Senator Carr.
You put all these questions on notice to Senator Sinodinos, representing Minister Pyne. You come into the chamber today and hold us up with a debate about why it should be that these questions are 19 days late, when you have acknowledged yourself, through your interjection, that the answers to the questions are imminently to be provided. Senator Carr, if you are concerned about the misallocation of resources, as you allege, within the CSIRO, if that is a matter of such beseeching concern to you, why is it that you are putting the CSIRO, and those who administer it, to all the cost and trouble of seeking out answers to questions that you could just as easily have put in estimates, that you could just as easily have asked in the chamber and, frankly, that you could just as easily have inquired of the officers yourself? But, no, rather than do that, you invoke this elaborate parliamentary procedure, forcing the CSIRO—which has much better things to do than dance at your whim, Senator Carr—to spend so much time and waste so much money pursuing answers to pointless questions. And yet, somehow, this is the socialist dream of appropriate resource allocation. And if anyone was going to dream the socialist dream, Senator Carr, I guess it would be you.

There is not much more, I feel, I can contribute to this discussion than to point out that this entire exercise has been unnecessary. It has been entirely unnecessary. The information you are seeking is information in relation to a decision that you criticise in a manner which is completely at variance from the policy position you take. The people you criticised for making the decision, Mr Pyne and Senator Sinodinos, were not the decision makers. The delinquency of which you complain—namely, the lateness in the provision of the answers to the question—is an alleged delinquency which, by your own admission in interjection, is imminently to be corrected because you tell us that the CSIRO are about to provide the answers to the department. The procedure you have invoked this afternoon, the procedure under standing order 74(5)(b), is utterly unnecessary for you to achieve any appropriate line of parliamentary inquiry or any legitimate forensic end. So why do you tax us so, Senator Carr? Why do you delay us so?

What I can tell you, Senator Carr—and let me close on this, because I see that my time is fast running out to make this contribution to the debate—is that you will get your answers to the questions, as Senator Sinodinos has assured you. And, when you get the answers to the questions, I am sure you will find that those at the CSIRO who have provided those answers will have done so in a thorough, honest and conscientious way. All the time that they have diverted from their scientific research—the important research work they should be undertaking—to answer your unnecessary and meddlesome questions is time that could be much—

Senator Kim Carr interjecting—

Senator BRANDIS: You laugh, Senator Carr. You are the one who brought on this unnecessary debate. You are the one who brought this entirely unnecessary debate before the chamber. I am simply pointing out to you that it was an unnecessary and inappropriate use of the procedure. Mr President, you chair the Senate procedure committee. Perhaps, one thing the Senate procedure committee could do in the future is have a look at the appropriate scope of subparagraph (5) of standing order 74. This is an open-ended debate. This could go all day this debate you have inflicted upon us, Senator Carr, in order to achieve an end that could have been achieved by a telephone call. Yet you invoke this very recondite procedure in order to find out answers that you probably already know the answer to. You waste people's time
with meddlesome and unnecessary questions and you announce to the Senate, having initiated this unnecessary debate, that the answers are imminent in any event. Senator Carr, why have you inflicted this on the Senate on the last sitting day of the week? Possibly the second last sitting week of this parliament is being detained by you, Senator Carr, by invoking this procedure entirely unnecessarily. Senator Carr—and I see my friend Senator Claire Moore sitting there; as whip, she is no doubt part of the tactics committee of the Labor Party—I wonder whether you might think again about whether there is a more efficient use of the Senate's time than to invoke this procedure in pursuing answers.

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (15:49): I am very keen to participate in the debate on the motion moved by Senator Carr.

Senator Kim Carr interjecting—

The PRESIDENT: Just a moment, Senator.

Senator CORMANN: I was the first one up.

Senator Kim Carr interjecting—

The PRESIDENT: He was the first one up, but he also is the deputy leader. It is a motion instigated by yourself, Senator Carr. There is ample opportunity for others on your side to contribute to the debate. I have gone to Senator Cormann on that basis. But your side will not be overlooked. There will be plenty of opportunity to speak.

Senator CORMANN: I will not hold up the Senate for long, but I am very keen to participate in this debate on a motion initiated by Senator Carr. The chutzpah of a Labor senator complaining about a delay in providing answers to questions at a Senate estimates committee—a Labor senator who was a senior cabinet minister in the Gillard and Rudd Labor governments!

Senator Wong interjecting—

The PRESIDENT: Order! Senator Wong; that is out of order. I explained that to Senator Carr a moment ago. You were not in the chamber when I gave an explanation.

Senator Wong interjecting—

The PRESIDENT: Anyway, Senator Cormann has the call. There is ample opportunity for you to have the call. Also, Senator Wong, as you were walking over here I indicated to Senator Carr that the motion has been moved from the Labor side and there is ample opportunity for senators to contribute to the debate. Senator Cormann, you have the call.

Senator Kim Carr interjecting—

Senator Wong interjecting—

Senator CORMANN: Here we see again Labor Party dysfunction at work—two senior shadow ministers at each other's throats. That is what we remember from the Rudd-Gillard Labor government years. We have a shadow cabinet minister initiating the debate—

Senator Wong interjecting—

Senator CORMANN: Here we go! We have Senator Wong complaining about the fact that I am participating in the debate on a motion that she initiated. The Labor Party initiated a debate on a motion—and look at this!
Senator Wong interjecting—

The PRESIDENT: Pause the clock. I will not continue with the debate if we are going to have this level of shouting.

Senator Wong interjecting—

The PRESIDENT: Order! No, I will not be; and I do not want you questioning.

Senator Wong interjecting—

The PRESIDENT: Senator Wong, there is ample opportunity for anyone who wants to participate in the debate.

Senator CORMANN: I think that Senator Wong is again demonstrating in her way that Labor is not fit to hold office in government in Australia. Look at the level of dysfunction on the Labor side: we have a shadow cabinet minister in Senator Carr initiating a debate, complaining about the fact that a minister has not answered questions on notice in a timely manner, and by me participating in that debate somehow I am doing something wrong. That is actually the way the parliament works: if a senator initiates a debate which under our standing orders is an open-ended debate, I am entitled to participate in that debate.

As I was saying, the chutzpah of a Labor senator who was a senior minister in the Rudd and Gillard Labor governments complaining about the lack of timeliness of answers to questions taken on notice is absolutely breathtaking. The government have a strong and proud record of answering questions, answering them properly, providing information and making sure that we follow the procedures of the Senate when, for very good public interest reasons, certain information is not able to be put into the public domain.

I contrast our track record of providing timely and high-quality answers to questions from Labor senators with that of the previous government. I used to sit on that side, as you might recall, Mr President, pursuing the then Labor government over the modelling that they had initiated through Treasury and various other agencies of government into their Carbon Pollution Reduction Scheme and subsequently their carbon tax. I am waiting to this day to get answers to those questions. We put orders for the production of documents on the table, we passed them through the Senate, we put questions on notice at Senate estimates, we set up Senate inquiries asking questions in the vain hope that we might be able to get an answer somewhere along the way. I am still waiting.

One of the questions that Senator Carr put on notice—I am just reading it—relates to measuring and modelling. This is what we are talking about. He is holding up the Senate, complaining about a minister not providing quick enough answers to this question. I am quoting now from Hansard. This is Senator Carr:

Can I just follow up on a question on notice. You have indicated several times, Dr Marshall, that Australia spends 75 per cent—or the US spends 25 per cent—on its measuring and modelling. How much does Australia spend, as distinct from the CSIRO; and what proportion of Australia's contribution to the measurement of climate change does the CSIRO undertake? Can you provide that on notice?

Dr Marshall said:

It is probably better if we take that one on notice. We have been searching for those numbers, and they are complicated.

They are complicated. That is what he was told on the spot during the Senate estimates hearing. Senator Carr then said:
You have used a figure several times. I would be very surprised as to what extent—let me wait. I look forward to your analysis of the comparison that Australia spends—and, by that, I mean the whole country and then a subset of that as CSIRO's contribution.

Here we have Dr Marshall explaining, right up front, that this is not easy information to identify, but of course he uses best endeavours. He says on the spot that it is not an easy piece of information to put together, that it is complicated, but he will do his best and, of course, that information will be provided as quickly as possible.

Compare and contrast that with the attempts of the then opposition, year in year out, day in day out, week in week out, month in month out, when we were asking then Gillard and Rudd Labor governments to share with the Senate the modelling information underpinning their climate change policies—the modelling information which they had at their fingertips because they had considered it when making relevant decisions but which they were keeping secret from the Australian people. They were deliberately keeping it secret from the Australian people because they knew that if it had become public the public would have been able to see even sooner that what Labor was proposing in government was not effective policy on climate change and that all it would do would be to push up the cost of living and the cost of doing business and cost jobs and investment without doing anything to help reduce global greenhouse gas emissions. That is why Labor in government, in absolute desperation, never ever answered that question.

Here we have a situation where many, many questions were taken on notice by the CSIRO and others during Senate estimates. The motion that we are talking about is the motion by Labor Senator Kim Carr complaining that answers to certain questions are 19 days overdue. I wish I had received answers to my questions 19 days after the deadline. That would have been a great improvement on our experience during our period in opposition.

Senator Carr also repeated a range of inaccurate assertions in relation to the government's approach to the CSIRO. In the context of this debate, to directly respond to the comments that Senator Carr made during his contribution, I would like to point out that this government is providing a record $3.1 billion of funding to the CSIRO in the 2015-16 budget forward estimates. The CSIRO have announced that there will be some realignment of activity within their climate change division, so they will now focus on climate mitigation and abatement—that is, on tackling the problem. Labor were pursuing this ideological agenda of taxing more because they wanted to spend more, and they wanted to dress up that taxing more as effective action on climate change. The truth was that it was just good old-fashioned Labor socialism—taxing more to spend more—and even then, because the taxes were not enough, they were spending more than they were able to afford. That is, of course, why Labor left a track record of debt and deficit as far as the eye can see.

It is important to note that advice from the CSIRO is that there will be no net job losses overall across the CSIRO agency, and that all staff entitlements will be fulfilled. Contrast that with what Senator Carr said during estimates on 3 June 2008, in relation to Labor cutting the CSIRO budget:

...the government has made the budgetary decision. The implementation issues are matters for the CSIRO and the board. The CSIRO board has to sign off on these decisions.

That is, to translate that, 'Nothing to do with me.' That is what Senator Carr said when he was asked questions about the impact on the CSIRO of budget cuts by the Labor government that
he was a part of: 'Nothing to do with me; nothing to see here. It's all a matter for them.' We are taking responsibility and being accountable.

The truth is: under our government, there have been no changes to funding. Any suggestion that funding arrangements were the result of changes to the CSIRO budget is incorrect. The CSIRO is undertaking a consultation process with its staff over the next few weeks, and it will be seeking input from external stakeholders, as appropriate. So this is about making sure that CSIRO as an organisation is able to be more effective. One of the objectives that we pursue as a government—right across government—is that we want to ensure that taxpayer resources are deployed in the most efficient, most effective and most well-targeted way possible. That is exactly what we are doing.

The advice from the CSIRO, as I have said, is that there will be no net job losses, although there will be a realignment of activity in order to ensure that its structure reflects the changing priorities in a changing world. It is true that the proposed changes are an operational matter for the CSIRO. The CSIRO is following its normal consultation process, as is required under its enterprise agreement. I understand that the CSIRO's management is assessing the feedback from an extended consultation period in the context of its organisation priorities as well as an understanding of CSIRO's future performance against existing contracts and collaboration arrangements. The CSIRO's chief executive and executive team will then finalise the planned changes, as is appropriate. The CSIRO management, of course, considers that further significant delays in making this change would have a detrimental impact on staff, as CSIRO is unable to provide certainty to those areas that are directly impacted.

As I have indicated right at the outset, we have a Labor senator who was a senior minister in the Rudd and Gillard Labor governments come into this chamber and complain about a lack of timeliness in providing answers to questions. It clearly upset Senator Wong that he asked that question and initiated this debate that we are now engaged in. The chutzpah involved in a Labor senator complaining about a lack of information from our government when we have bent over backwards to provide answers in a timely fashion, when we have prided ourselves in providing answers in a timely fashion and when we have prided ourselves in following proper Senate procedure when it comes to claiming public interest immunity in relation to the pieces of information for which, upon reflection, it would not be in the national interest to publicly release at a particular point in time. We have prided ourselves in doing all of this, yet this senator comes in because a piece of information that was particularly complex to collect is 19 days late. Really? Is that the most important priority that Senator Carr feels that the Senate should be debating at this point in time? You really wonder!

Clearly, Senator Wong was very unhappy with Senator Carr having initiated this debate. I am not surprised. I suspect that this is a continuation of the wars that we witnessed on the Labor side of politics in the period between 2007 and 2013. What was the name of that—

**Senator Ryan:** *The Killing Season.*

**Senator CORMANN:** *The Killing Season!* Apparently we are going to get the expanded book version of the *The Killing Season*. I will go to the index to see how often Senator Carr and Senator Wong come up in dispatches together.

I did not hear Senator Carr complain when I was not able to get answers from Senator Wong, by the way, in relation to the climate change modelling that was undertaken by the
Rudd and Gillard Labor governments. I remember spending weeks and weeks and every single question time asking questions about when we were going to see the modelling and the underlying assumptions—not just in relation to climate change, incidentally, but also in relation to the mining tax. Remember the mining tax—the tax which we always said would not raise any money, the tax for which we asked the Labor government to provide us with the underlying assumptions and the modelling information? Of course, the then Treasurer, Mr Swan, went running for the hills when we asked him for information which we knew would prove that that was a tax which would not raise any money when Labor had already promised to spend all of the money that they thought it would raise, and more. So we will contrast our track record against yours any day. When it comes to openness and transparency, we will put our track record against your track record any day, Senator Carr.

I am very confident that Senator Sinodinos, representing the illustrious and very impressive senior minister in Minister Pyne, will, here in this chamber, provide the answers to the questions that you have put on notice during the last Senate estimates period in a timely fashion, while, of course, being focused on making sure that the information we provide to you is accurate and factual, that it does not mislead and that it informs rather than hinders the public debate.

I have just received some very interesting information which was published on 17 April 2013. This relates to the Gillard government's lack of accountability in Senate estimates. Here we go: figures supplied by the Senate clerk's office—this is in April 2013—show that 58 per cent of questions on notice were still outstanding after two months, despite a requirement that all questions be answered by 12 April. So this was exactly three years ago. This was the tail end of your government—the government in which you were a senior cabinet minister for a period, at least, until you somehow got caught up in the wars, or The Killing Season. Somewhere along the way you got involved in The Killing Season. Senator Carr was a victim of The Killing Season somewhere along the way. But here we are: figures supplied by the Senate clerk's office back in 2013 show that 58 per cent of questions on notice were still outstanding after two months, despite a requirement that all questions be answered by 12 April. Five portfolios and agencies—resources, energy and tourism; Austrade; immigration and citizenship; infrastructure and transport; and regional Australia, local government, arts and sport—failed to answer any questions whatsoever by the due date! Not a single question was answered by the due date under the Gillard and then the Rudd Labor government, and Senator Carr comes in here and complains about our performance when it comes to the timeliness of providing answers to questions put to us! Really, it is quite ridiculous.

I am pretty sure that Senator Wong is not very pleased with Senator Carr for having initiated this debate here today, because she, out of all ministers, actually would well remember that she has a very bad track record when it comes to answering questions taken on notice during Senate estimates or, indeed, during Senate question time. I spent a bit of time with Senator Wong in Senate estimates when I was in opposition, and I have learnt a little bit about how to handle questions in Senate estimates from Senator Wong. Let me tell you, again, that I am still waiting for a whole heap of answers that Senator Wong and, indeed, Senator Conroy took on notice during my period as an opposition shadow minister.

The motion moved by Senator Carr is, of course, about two main issues. It is, firstly, about the proposition that somehow Senator Sinodinos has been inappropriately tardy in providing
answers. I believe that I have addressed this by contrasting our strong and effective performance on this front with that of the previous Labor government. Of course, the other part of the issue raised by Senator Carr wrongly asserted that there have been all these significant cuts to the CSIRO, which would undermine their capacity to undertake important climate change modelling. Let me again refute this. The government are providing a record $3.1 billion of funding in the current budget forward estimates period to the CSIRO over the 2015-16 forward estimates. The CSIRO is working to do things better, to ensure that the money that is made available to it—ultimately, by taxpayers—is spent as effectively and as efficiently as possible. That is what you would expect a good government to do. That is what the government are doing. I do not really understand why Senator Carr would be coming into this chamber and complaining about the fact that we are doing our job the way that the Australian taxpayers would expect us to perform our job.

In closing, let me say again that, given Senator Carr was a senior minister in a government that religiously failed to even try to answer questions—to the point where a whole series of departments did not answer by the due date one single question that was put to them in Senate estimates—it is really quite extraordinary that Senator Carr would have the chutzpah to come into this chamber and complain about our performance. (Time expired)

Senator MOORE (Queensland) (16:11): I move:

That the question be now put.

The PRESIDENT: The question is that the motion moved by Senator Moore that the question be now put be agreed to.

The Senate divided. [16:15]

The President—Senator Parry)

Ayes .....................36
Noes .....................28
Majority ...............8

AYES

Bilyk, CL
Cameron, DN
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Lazarus, GP
Ludlam, S
Marshall, GM
McEwen, A (teller)
McLucas, J
Muir, R
Peris, N
Rhiannon, L
Siewert, R
Singh, LM
Wang, Z
Whish-Wilson, PS

Brown, CL
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lambie, J
Leyonhjelm, DE
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
O’Neill, DM
Polley, H
Rice, J
Simms, RA
Urquhart, AE
Waters, LJ
Wong, P
Question agreed to.
Original question agreed to.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Higher Education

Taxation

Senator KIM CARR (Victoria) (16:18): I move:

That the Senate take note of the answers given by the Minister for Education and Training (Senator Birmingham) and the Attorney-General (Senator Brandis) to questions without notice asked by Senators Carr and Polley today relating to higher education funding and to taxation policy.

We have just witnessed quite an extraordinary proposition where the parliament has been brought back to discuss a series of measures which the government does not have ready to bring into this chamber. It does not want to be able to present a motion and, in light of the fact that next week there is a Senate hearing into why questions about the CSIRO have not been answered, where the opposition asks a legitimate question, following a similar request yesterday in which assurances were given that questions would be answered, we discover that answers to five of the 29 questions which we were assured would arrive will, in fact, happen. What does the government do? It then chooses to filibuster for an hour and a half in a vain attempt to avoid having to deal with a number of motions that are coming up today and, probably, tomorrow, because the standing orders are very clear on this, and the resolution we have already carried makes it perfectly clear which legislation we are dealing with. That legislation has not been dealt with in this chamber because we are still waiting upon the House of Representatives.

I raised a question today with the Minister for Education concerning the government's education policies. We clearly know there are two fundamental issues at stake here: just how much is the government now planning to take out of university funding, and what is their plan in regard to deregulation? We know what the government's formal policy position is because it has been stated. It has been stated twice at Senate estimates—in October and February this year—and stated in MYEFO in December of this year, and the statement has been made by
the minister on Sky TV on a number of occasions that the government is seeking to take further savings from the university system.

What we know is what their election campaign will look like, and that is where we get into interesting territory because this is a government that has said, just like the last election—remember the last elections?—’No cuts to education.’ No cuts to education was the policy position they took, and what they are trying to do, once again, is slither through the election campaign without any assessment of their policy and then make the assumption that they can climb back into office and introduce a 20 per cent cut to the universities—a $5 billion cut to universities—over the forward estimates.

We now see what I understand is quite a clear proposition: Senator Birmingham, I am told, has gone off to the cabinet and sought further cuts, only to find that the cabinet has thrown him out because the cuts are not big enough. This government wants to impose additional cuts upon the university system, because we know how the universities are treated by this government. They regard the universities as fair game. We know that the Parliamentary Budget Office has made it very clear that the overwhelming reason for a blow-out in the student loan scheme is the stated policies of this government to impose a 20 per cent cut on the universities and to regulate university fees—the $100,000 degree which they are seeking to impose. If the deregulation agenda becomes law, the annual cost of the student loan program will have risen from $1.7 billion to $11.1 billion within 10 years. That is a 46 per cent increase in the public debt, and we know what the assumption for that is based on: the government's stated policy position.

What we are talking about now is that the minister claims he is continuing to consult with the sector. I have absolutely no doubt we will hear talk about another review into the implementation of the government's budget cuts. According to the PBO, on the current unlegislated higher education measures, that is a cut of $12 billion over 10 years. The minister will be forced by his Expenditure Review Committee to seek additional cuts on top of those. The Liberal policies are very clear. They have created a mountain of debt and they have now sought to impose that mountain of debt upon students and taxpayers like. They are determined to pursue the same old Liberal Party ideology: a move from public provision to private provision, a move away from a fair go, and the entrenchment of those who already have power and privilege. What they are seeking to do is to slam the door shut on opportunity for individuals and the nation, and the minister's plans are becoming abundantly clear to all those prepared to listen. (Time expired)

The DEPUTY PRESIDENT: I remind senators that it is disorderly and against the standing orders to walk between the chair and the speaker.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (16:23): You could be forgiven for thinking that yesterday was the worst day for opposition senators in the Australian Senate for a very long time. I am looking at Senator Polley from Tasmania, and I will come to her ridiculous claims about double taxation in a moment. You had to witness what we just saw in the Australian Senate over the last few moments. Senator Carr fell foul of his own strategy. He used a procedure that he thought was going to embarrass the government and disrupt proceedings, but what happened? He fell foul of his own procedure and it blew up in his face. Let's talk briefly about the substance of question time today. What is revealing is
not what opposition senators want to talk about—their claims about higher education funding and their false claims about double taxation—

Senator Polley interjecting—

Senator SMITH: I will come to double taxation in a moment, Senator Polley. I am looking forward to debating you on double taxation. I want to share with you what the Daily Telegraph said about double taxation, Labor's plan to modify the carbon tax and Labor's plan for a new electricity tax. Let me get to that in a few moments. What do Labor senators not want to talk about this afternoon? They do not want to talk about their ridiculous claim earlier today that somehow the government was going to breach its caretaker conventions with regard to government advertising. Why was it a ridiculous claim? First, because we have given a clear commitment that we will not breach the long-established caretaker conventions, but, more importantly, because Labor did breach them when they were in government. In a most horrendously shameful way, Labor breached the caretaker conventions at the last federal election. I know a little bit about this. I was the senator at the Senate estimates committee process who asked David Tune about the caretaker conventions. Let me share this for senators who are not familiar with him. He is one of Australia's most well respected public servants. At that Senate estimates committee hearing in May, he was the secretary of the Department of Finance—a very significant and considerable area of the Australian Public Service.

I asked him rather innocently about the caretaker conventions and whether they had been breached in the past. It is no wonder that Labor senators are silent, because in that silence is their embarrassment and deep shame. What did the secretary of the Department of Finance, David Tune, say? He said he was directed by the then Special Minister of State—and I will come to him in a moment—to breach the caretaker conventions. It is not a rumour; it is well documented; the documents are here. He was directed by the then Special Minister of State to breach the caretaker conventions with regard to a government advertising campaign on people smugglers. What makes that more remarkable, as if that were not remarkable enough? The Special Minister of State was none other than the member for Isaacs, Mr Dreyfus QC, who was also the Attorney-General. So, not only was he the senior law officer in our country; he actively directed—those are not my words; they are David Tune's words—the secretary to breach the caretaker conventions. That is a most shameful act.

It is no accident that Senator Gallagher asked one question and not three. She realised that she had trod on a landmine. I will give this to Senator Gallagher: she was not in the Australian Senate when that matter was revealed at Senate estimates. She can be forgiven for that, but she cannot be forgiven for her poor research skills. She should not forgive the people on that side who gave her the question and set her up. It was a lazy allegation this morning from Labor that the coalition would breach its caretaker conventions. The Leader of the Government in the Senate made it very clear today that we will not. Why should Labor senators care so much? Because they were the people who actively breached the caretaker conventions and instructed, directed, David Tune to breach the caretaker conventions. It is not an allegation and it is not a rumour; it was revealed at Senate estimates. Yesterday was a bad day for the Labor Party in the Australian Senate. Today has turned out to be a worse day. (Time expired)

Senator POLLEY (Tasmania) (16:28): What a contribution to the Senate that was. When I asked a question today of the senator representing the Prime Minister, it was in response to
one of those policy announcements by the Prime Minister that they are now trying to run away from. The comments that I referred to were from the Treasurer of the Tasmanian parliament: Liberal member, Peter Gutwein. He raised his concerns. I quoted him when he said:

... each Tasmanian would need to pay $4,500 per year in additional tax.

That is not what I have said. That is what the Treasurer of Tasmania has said. So there is no doubt.

We are getting quite used to the fact that this Prime Minister has all these thought bubbles and they just sort of float past. He will see a bubble somewhere, grab it and say, 'That seems like a good idea,' but we know his ideas do not really stand the test of time. He will announce something in the morning and, by the evening, it will be off the drawing board, yet again. We know, from the contributions that have been made through the course of yesterday and today, that there is only one thing this Prime Minister has on his mind, and that is that he will do and say whatever it takes to try to pull the wool over the eyes of the Australian community, yet again. He will say one thing today but do something completely different tomorrow. We know, when he knifed Tony Abbott, that he did what he had to do. He did the deals within his caucus to get him that job. He has run away from the principled position that he kept espousing to the community, year in, year out. So we expect nothing different from him as Prime Minister, but the Australian people see things very differently now. They see that this government cannot be trusted. Whether it is Tony Abbott or Malcolm Turnbull—

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order! Senator Polley, you should refer to him as Mr Abbott or the member for Warringah.

Senator POLLEY: Whether it is Mr Abbott or Mr Turnbull, Australians know that what they say before an election will be very different if they are re-elected. They said before the last election that there would be no cuts to education and no cuts to health. That was untrue. They said there would be no new taxes, and what have we seen? We have seen, time and time again—and it really does not matter whether it was Mr Abbott, when he was Prime Minister, or Mr Turnbull now—that they cannot be trusted. They are running scared and running away.

They spent all this money bringing us back to parliament for two days, and what have they done? They guillotined debate on a bill that was introduced yesterday and passed last night. They did not give each and every one of us senators the opportunity to contribute to the debate. That is the very least you should expect when you come into this chamber. When there is proposed legislation before this chamber, you have a right to make a contribution, but they guillotined the debate because all they wanted to do was spend taxpayers' money to recall parliament so that their Prime Minister could call a double dissolution of the parliament. I say: bring that election on, but let us make sure that there is some real honesty in this campaign.

This Prime Minister may say that he is nimble and agile, but we know he is not a truthful Prime Minister. If he was, he would have been up-front with the Australian community. When he wanted to extend the GST to fresh food—in fact, extend it to everything—and increase it from 10 per cent to 15 per cent, he was not being honest, but he did get the message, because the Australian people and those on this side of the chamber said, 'We will never support a GST on everything; we will never support an increase to 15 per cent.' If you
want to talk about taxation and have a thought bubble every other day, that is fine, but you
will be judged on that by the Australian community. They will judge you.

I would not get too self-assured if I were sitting on that side of the chamber, because we
know the Australian people are smart. They will make their judgement. Of course those on
the other side go into this election as frontrunners—they certainly do—but just be prepared.
You will have to explain your policies in far more detail than you did at the last election. You
will not get away with the hollow promises that you made that there will be no new taxes, no
cuts to education and no cuts to health. You ran away from Gonski funding in years 5 and 6.
You have betrayed the Australian people, and I think it may well be once too often. (Time
expired)

Senator BACK (Western Australia) (16:33): I am delighted to contribute to the so-called
double taxation debate that Senator Polley has so keenly engaged in. If one takes the very first
principle that Prime Minister Turnbull mentioned when he spoke to the premiers and chief
ministers, it was that there would be no net increase in taxation across the nation and there
would be the opportunity for tax sharing. Senator Polley says this is an initiative of the
coalition and something that Prime Minister Turnbull thought up. Let me go back to the year
1991. I do not know if Senator Polley was interested in politics in those days, but I will tell
her in a moment who the Prime Minister of the day was. There was a premiers and chief
ministers meeting in Adelaide on 21 November 1991 and a historic agreement was struck.
The communique to emerge from the meeting is significant because of who the meeting was
chaired by. Here is a guessing competition. Who was the Prime Minister in 1991, Senator
Polley—through you, Mr Acting Deputy President? Anyone? Senator Smith, would you
know? It was Bob Hawke. There were eight premiers and chief ministers at the meeting, six
of them Labor. I will tell you who these luminaries of the Labor Party were: Kirner from
Victoria, Bannon from South Australia, Lawrence from our state of WA, Goss from
Queensland, Field from Tasmania and Follett from the ACT. Do you know what they did?
The communique said that all leaders:

... reiterated their support for a national income tax sharing scheme based on providing States and
Territories with access to the personal income tax base …

Furthermore, they agreed on a figure of six per cent—through you, Mr Acting Deputy
President, to Senator Polley—as being appropriate, 'without impinging on fiscal equalisation
arrangements'. Finally, they also agreed, under the leadership of then Labor Prime Minister
Mr Bob Hawke, that the proposal was not just revenue neutral but economically sustainable.
How wonderful. It was 1942, as you know, Mr Acting Deputy President, when the states gave
up their capacity for income taxing.

Incidentally, let me go on and tell you what happened. I should, shouldn't I? What do you
think happened to this breakthrough agreement by Prime Minister Hawke and six Labor
premiers and chief ministers? I ask those in the gallery—through you, Mr Acting Deputy
President. It is a bit like Q&A. One month later, it got mothballed when Paul Keating, whose
infamous centralist tendencies would never permit him to grant greater autonomy to the
states, seized Hawke's job. What do you think happened to that thought bubble? It got
scuppered. That was the end of it. It was finished because of Paul Keating, the great centralist.
'He who holds the gold makes the rules', and Keating wanted to hold the gold and make the
rules.
What did Prime Minister Turnbull do? He went to the premiers and chief ministers and to the people of Australia and said, 'Let's engage in an economic debate and let's put everything on the table.' How amazing that the people of Australia would be given an opportunity to actually have everything on the table for discussion. Fortunately, as a result of decisions made in this place last night, you, the people of Australia, on 2 July are going to get an opportunity to decide whether you want the future economic, social and industrial management of this country to be run by the coalition or to be run by that rabble on the other side.

In the few minutes left to me, I do want to comment on issues associated with higher education. I have said in this place so often, and I say it again, through you, Mr Acting Deputy President, to Senator Kim Carr: Professor Paul Johnson, the vice-chancellor of UWA, one of the Group of Eight universities, has said that a four-year agriculture degree will cost $16,000 a year. Hands up all those who know what four times 16 is. It amounts to $64,000. Perhaps Senator Carr is an example. He ought to go back and get a calculator, because four $16,000s do not make $100,000 degrees. And it is not to the credit of people in this place to continually tell lies about those degrees.

Let me also tell you what this coalition government, through Andrew Robb, the then trade minister, has achieved: free trade agreements with three of our major trading partner countries—Japan, China and Korea—and also, of course, the Trans-Pacific Partnership. As one who has had a keen interest in the higher education sector, and one who was an academic at Curtin University in Western Australia and at the University of California and at the University of Kentucky, I can say to you: the value to the university sector of the free trade agreements and the TPP will be measured in billions for years to come.

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:38): I want to take note of the answer given by Senator Birmingham to Senator Carr's question today. The answer that Senator Birmingham gave clearly indicated that the Liberals' only plan for higher education is to continue down the path of cutting university funding and allowing universities to set their own fees. Fundamentally, that will lead to the Americanisation of Australia's higher education system, and we know where that leads—that leads to massive student debts and $100,000 degrees.

It is quite a different plan from the one that the now Minister for Education and Training, Senator Birmingham, had for higher education when he was a student activist in the 1990s. Then he ran for student politics on a platform of opposing voluntary student unionism and 'fighting against funding and staffing cutbacks'. As quoted in Adelaide university's student newspaper of the time, On Dit, he said, as part of his campaign for student presidency: 'I'd like to ensure that we can take the fight up to any government, be that Liberal or Labor, state or federal, and indeed make sure that we can lobby the upper house of both parliaments quite effectively.' Now Senator Birmingham is right here in the upper house of our federal parliament, where he could effectively lobby—very effectively lobby—against the funding and staffing cutbacks that his government has foisted on our universities, and which it wants to continue to foist on them, by slashing their budgets. But, from his position as minister here in the Senate of the Parliament of Australia, what does Senator Birmingham do? What has he done since the disastrous budget announcements of 2014? Well, he has not done much. When faced with the backlash of the 2014 budget announcements on higher education, this
government has been unable to move away from its passion for deregulation and saddling students with more debt.

As Senator Carr said, meanwhile, in a PBO report, we have seen that, if something is not done, Australia's HECS debt will increase massively and eventually threaten the whole HELP system. That PBO report also finds that, within 10 years—that is just one decade—the annual cost of HELP loans, now $1.7 billion, will have risen to $11.1 billion, a 46 per cent increase in our nation's public debt. That debt will be driven mainly by projected increases in student fees from 2017, due, as the PBO report says, to this government's announced higher education reforms. Those so-called higher education reforms—which consist mainly of cutting funding, with a cut of $5 million more to come—coupled with deregulation mean that universities are forced to claw back funding by enrolling students and charging them more, if the universities are able to get away with it, because that is what will happen, arising from deregulation of fees, if this government has its way. We know from other research, including that prepared by NATSEM, that course fees would double and treble under deregulation. The prospect of $100,000 degrees is not a furphy; it is very, very real.

We know that it is true because overseas experience—including in the UK, where fees were partially deregulated—is that it led to overall course increases. The UK deregulated in 2012. The British government claimed then, as this government claims now, that deregulation would mean universities would be able to compete on price. But, as we well know, what happens in the university sector is that the students, the consumers, believe that a lower priced degree is a less worthy degree, and so they do not enrol in those universities that have lower priced degrees; those universities are forced to increase their fees so that they match the higher-charging universities. And, overall, the fees for all students go up, with the detrimental effect, eventually, of fewer students enrolling in university degrees. Of course that will be fatal to the future of Australia's economy and to our innovation and to ensuring that we have good and decent jobs for all Australians. I wish Senator Birmingham would return to his student activist roots and use his position here in the Senate to advocate for better higher education funding and more support for Australian students.

Question agreed to.

BUSINESS

Rearrangement

Senator WONG (South Australia—Leader of the Opposition in the Senate) (16:44): I seek leave to move a motion relating to the routine of business.

Leave not granted.

Senator WONG: Pursuant to contingent notice, I move—

That so much of standing orders be suspended as would prevent the opposition moving a motion relating to the conduct of business of the Senate, namely a motion to give precedence to Business of the Senate notices of motion Nos 2 and 3, referring matters to the Finance and Public Administration References Committee, general business notice of motion No. 1134, relating to estimates hearings, and all items at item 12 on the red.

This is not a motion I wish to move. But we are moving it to enable the Senate to deal with a range of motions, which were lodged yesterday and tabled in this chamber, to establish inquiries to ensure that, for example, Senator Sinodinos's involvement in the Free Enterprise
Foundation is considered and to ensure that the Prime Minister’s double tax plan at the COAG is considered, so that Australians have an opportunity to understand how it was that the Prime Minister came up with a double tax proposition and a proposition that Australia’s public schools should no longer be funded by the federal government. In addition, there are great range of motions from crossbench senators, Greens senators and independent senators in this place.

Can I just set the framework here: we have a government that is treating this Senate as its plaything. The chaos we have seen from the way the Manager of Government Business and the Leader of the Government in the Senate have managed this chamber is extraordinary. First we had the Prime Minister requesting the Governor-General to prorogue the parliament and recall the parliament. On Monday we had the pomp and circumstance for the charade that was all about getting a double dissolution trigger that Mr Turnbull thought, at the time, would be to his advantage—but enough of that; I am sure that that will be a decision, ultimately, for the Australian people.

Then we had, as I indicated publicly to the government last week, a very short debate on the ABCC bill, because the Labor Party had said very clearly to the government: ‘If you want an election, we will have an election. We are ready to fight an election. We are not going to delay the resolution of this bill. We will vote on it. You have your trigger. Let’s deal with it.’ So the government dealt with that and the abolition of the Road Safety Remuneration Tribunal, and then it went to the address-in-reply.

Then today we see two of the most senior cabinet ministers in the country—the Attorney-General and Leader of the Government in the Senate and the Minister for Finance and Deputy Leader of the Government in the Senate—filibustering in this place to stop us getting to our motions. How extraordinary! You prorogue the parliament and reopen it in order to get these urgent bills through—you do not even bring one of them into the parliament—and then you come in and filibuster! You have senior cabinet ministers, who ought to be working on a budget and on a political and economic agenda that so far this government has not demonstrated, coming in here to filibuster debate.

We do not want to have to move a suspension of standing orders. I invite the Manager of Government Business to stand up in the chamber and say, ‘We won't filibuster. We'll make sure we get to these motions’, but I can almost guarantee that he will not. Why else would he have ensured that ministers and backbenchers came down in order to filibuster? I remember during the carbon price debate—carbon ‘tax’ debate, as they called it—that this government was both guillotining and filibustering in the same debate. We have the same kind of chaos and dysfunction on the other side now. We have a government that pulled us all back for an urgent and important Senate sitting with no agenda, no legislation before the chamber, and the best they can do is send two of their most senior people down to this chamber to filibuster. What an embarrassment! One may ask what are they so frightened of?

There are two motions, which are included in the motion that I have just moved, which are important. They include references to the Finance and Public Administration References Committee for inquiry into the Free Enterprise Foundation and also into COAG. Maybe they are worried about other motions. I do not know. There are quite a lot of other motions on the Notice Paper. But what sort of way is this to run the parliament? What sort of treatment of the parliament is this that you get this kind of shambolic management of the chamber with
everybody being called back to Canberra—big ceremony, big pomp and circumstance? We had to deal with this economic issue, and it was dealt with within a day, and what have we been doing? The address-in-reply and a filibuster. That is not an agenda for health. It is not an agenda for schools. It is not an agenda for renewable energy. It is not an agenda for the future of the country. The best this government can offer is a filibuster. So we are moving this motion. We are prepared, if the Manager of Government Business wants to have a negotiation about other matters on the red. If he wants to have the condolence motion that he has been avoiding, we are happy to have that—(Time expired)

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (16:50): For those who may be listening to the Senate today—of whom there are many people when the Senate is on broadcast—and listening to Senator Wong, they could have been forgiven for thinking that the opposition were, indeed, paragons of legislative virtue.

Senator Dastyari: We are!

Senator FIFIELD: Senator Dastyari says ‘they are’. Those who know Senator Dastyari will know that that was a tongue-in-cheek intervention on his part. I do grant Senator Wong the fact that this has, indeed, been an interesting week. It is also a sitting week that should not have been necessary. The Australian Labor Party in the preceding sitting weeks filibustered and filibustered and filibustered. Exhibit A for that is the Senate electoral reform legislation. The Australian Labor Party did everything they could to try and stop that legislation coming to a vote. They had a twofold purpose: the first was to try and avoid a vote being taken on that particular legislation; the other was to delay the possibility of getting to the ABCC legislation. We know their plan was to delay that, because even though that legislation had previously been through the House, previously been debated in the Senate, previously been referred to a committee, and after it had gone through the House for a second time and come back to the Senate, they again referred it to a committee. So we do have some difficulty on this side accepting the declarations of commitment to orderly process in this place. This sitting week should not have been necessary, if those opposite had not used every procedural manoeuvre and every filibustering opportunity to prevent the orderly consideration of government business in previous sitting weeks. That is why the parliament was recalled, in order to address the ABCC legislation.

That legislation was addressed yesterday. We also had the opportunity yesterday to repeal the legislation that put in place a so-called road safety tribunal for heavy vehicles that was nothing of the sort. Its intention was, basically, to put owner drivers out of business. In some quarters, there is surprise that we were able to transact those two pieces of legislation. I can tell you why it was possible to transact those two pieces of legislation, and why yesterday was in stark contrast to so many sitting weeks before. The reason is that the eyes of the nation were upon the Australian Senate. Usually, compared with the House, the Senate is a bit of an off-Broadway operation, but because the Senate was recalled for the specific purpose of addressing this legislation the eyes of the nation were on this place and on the Australian Labor Party. When faced with that scrutiny and attention it was beyond even them to continue to filibuster that legislation. So we find ourselves in the situation where this will be the last sitting day before the Senate resumes for the budget, because we indicated that we would sit
for only those days that were required to transact those bills. So I advise the Senate that that is the case. We will not be sitting on Wednesday and Thursday or next week.

We have perhaps learnt a thing or two from looking at those opposite over the years. We are not convinced by Senator Wong's contribution that there is a justification to suspend standing orders. In defence of Senator Brandis and in defence of Senator Cormann, the only explanation I have is that they were quite taken by Senator Carr's questions in relation to the CSIRO. It happens on occasion that senators, such as senators Brandis and Cormann, are seized of the need and desire to make a contribution, and that is what they did. I am certain that my other colleagues on this side have not been moved and persuaded by Senator Wong's contribution and suggestion that standing orders should be suspended.

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (16:55): It is remarkable that the Prime Minister felt that it was so important to bring back the parliament just so that we could engage in a filibuster to prevent the debate of importance legislation and important motions. What a waste of precious public funds.

Part of the intent was to prevent debate on the implementation of a national anticorruption watchdog. Let me say a few words about that. It is said that the likelihood of someone entering into a corrupt or conflicted action is a measurement of two things. People engage in corruption if the level of financial or personal benefit that can be obtained is measured against the likelihood of getting caught. If you can make a lot of money and there is little chance of getting caught that is a recipe for corruption. Here in the federal parliament, when you include the federal public service, we bring in $300 billion more in revenue than all of the states combined. Every year, there are thousands of contracts signed, grants awarded, money transacted and benefits received. Despite all this money, we have very little institutional protection to deter misconduct in the federal parliament. Our system is vulnerable to corruption and the government and the opposition have no plans to change it.

Consider our lax political donation laws, where disclosure is set absurdly high and the public cannot know who bought influence from whom before an election. Consider what happened when Brickworks gave $263,000 to the federal Liberals during the last election, including one single donation of $150,000 one month before the election. The CEO of Brickworks, Lindsay Partridge, had a long history of financial support for the Liberal Party, and when there was implemented a policy that touched on his business, a policy that the Liberal Party opposed, there was an aligning of the stars. He offered all of the financial, campaign and media support that he could muster.

Within weeks of being elected, the Abbott government closed down the Clean Technology Innovation Program. For those who are not aware, this was a program funded by the carbon price to offer grants to companies to improve their energy performance. According to Brickworks' annual report, they had already received $3 million in federal grants before the scheme was closed, but they had in the pipeline another $14 million of grants that had not been contracted. A few weeks after the scheme was closed, a number of grants were contracted, according to the public register. Brickworks subsidiaries received a total of $17 million from a carbon price program that improve the company's energy bills by $11 million a year, benefits they are still enjoying. So here we have $263,000 of private money flowing one way before the election from the CEO of Brickworks, Lindsay Partridge, to the federal Liberal Party, and then a few months later we have public money—an estimated $14 million...
of taxpayer money—flowing the other way, from a scheme closed down by the Abbott government into the Brickworks site. So for every dollar that Mr Partridge donated in that election year his business got $53 in public money for his capital equipment. A few months later he got another commercial benefit when the carbon price was repealed, with the support of the member for Fairfax, it must be said, who also enjoyed financial benefits for Queensland Nickel once the carbon price was removed.

We cannot be sure whether this is corruption, but the whole thing stinks. The decision to award millions and millions of dollars in grants from a carbon price program that Tony Abbott and his cabinet ideologically loathed, in the midst of a budget emergency, may have been a legitimate exercise of executive power but it may not.

Without a national anticorruption watchdog to pour over the details, to examine the transactions, we will never know what went into the cabinet's decision when cabinet members looked down the list of possible grant recipients and saw Brickworks, their political allies. We need donations reform—we need it now—and we need the establishment of a national anticorruption watchdog to improve Australia's governance, to restore faith in our political system and to wrestle power from those wealthy vested interests and put it back into the hands of the Australian people.

**Senator RYAN** (Victoria—Minister for Vocational Education and Skills) (17:00): I have long desired the confected outrage of Senator Wong in this place. She walked into the chamber before because one of her shadow ministers had moved a procedural motion in the Senate that facilitated a debate; and the Senate partook in that debate, as is allowed under the standing orders. The contempt of the Labor Party for the Senate is shown in the utter hypocrisy of what we have heard so far this afternoon. Only a few weeks ago we sat here all night to deal with a piece of legislation on which the Labor Party had decided to filibuster. We have all sat here when the Labor Party, sometimes joined by their colleagues in the Greens, have prevented the Senate from dealing with important legislation—through the techniques of deferral, referral to committee, repeatedly referring similar bills to committees and at no point allowing or facilitating the Senate to debate them.

We sat here when the Labor-Greens government had a majority in the Senate. At one point, more than 30 bills were subject to a guillotine. Bills that had never had a word uttered on them, and amendments that had never been debated or even presented in this chamber, were guillotined on a Thursday afternoon in order to meet the secret deals that had been done by Labor and the Greens—and, with all those internal trade-offs, who knows who was to benefit from that?

As we have seen this week, the interests of the Labor Party cannot be in any way separated from the interests of the trade union movement. Not only did they legislate to put a union at the centre of a tribunal that is dedicated to nothing less than explicitly putting small business out of operation and explicitly putting the homes and livelihoods of struggling Australian small businesses at risk; they then used the taxpayer to write a $200,000 cheque to support the operation and the publicity of that particular tribunal. That same body—a body that the Labor government handed money over to—then wrote cheques to the Labor Party to support their election campaign.

In the corporate world, those related party transactions are subject to some sort of disclosure; they are subject to protections in the interests of shareholders. But, in the view of
the Labor Party, the public till is something to be raided for your members, who then write cheques for you with fungible money to support your re-election.

Yesterday we had the deputy leader of the Labor Party insulting the Governor-General—a decent man by anyone's measure—in this place and thereby degrading this chamber. I have not seen many of those opposite stand up and say that that was simply inappropriate for someone who holds an important office.

**Senator Wong:** I would not have used those words.

**Senator RYAN:** Senator Wong, I will take that interjection. I am not sure if it means you would still insult him! But I do not think what he did yesterday—with a basic knowledge of constitutional history in this country, which Senator Conroy clearly lacks—

**Senator Wong:** Why are you talking about yesterday?

**Senator RYAN:** Senator Wong, I am going to the point that you raised in your address only a few minutes ago—that the parliament was prorogued and summoned to deal with pieces of legislation the government said were a priority. After years of refusing to allow the parliament to consider the legislation, earlier this year you sent it off to a committee with the specific intention of preventing it being dealt with before the budget—and then you cry wolf because you do not like the process the Constitution allows to summon the parliament. And then you admitted in your speech earlier that that was all a delay—because you rolled over and had a vote on it last night. We then dealt with the second piece of legislation, the bill to abolish the Road Safety Remuneration Tribunal, because we had hundreds of truckies and their families driving to this building and saying that this legislation, put in place by Labor and the Greens for their TWU mates—your funders, the people who write you cheques—would cost them their jobs.

**Opposition senators interjecting**

**Senator RYAN:** At least the Labor Party is being honest now—it actually wants to shut down small business. The confected outrage of Senator Wong and the Labor Party has no place in this chamber, and the Australian public do not take it seriously. I just wish I could act half as well!

**Senator BERNARDI** (South Australia) (17:05): I am motivated to make a contribution to this debate because I do think it is wholly improper to be contemplating the suspension of standing orders on the spurious grounds that Senator Wong has put forward. I do so because, like many in this chamber, I have a very long memory. What goes around tends to come around, on occasion, and we should be mindful of that in considering things. I recall that significant debates on substantive issues have been truncated or stopped in this place. Something like 23 or 24 bills were guillotined immediately—or 'time managed', which is the euphemism in this place—where there was no ability for anyone to really make a contribution to a debate.

I thought it was wrong then, but now we are contemplating the fact that the government wants to persist and continue with the address-in-reply—it is entirely appropriate that senators have their say on the reopening of the parliament by His Excellency the Governor-General—to explore substantive matters. Some people have had the opportunity to raise issues that they believe are important. Many on the Labor side have done that, and we have had some contributions from the Greens and the coalition.
I think it is entirely appropriate to give everyone the same opportunity. Maybe that is just the innate fairness that I have within me! Perhaps there is less selfishness on this side of the chamber than on the other side, who demand that their immediate needs be met and satisfied rather than consider the health and wellbeing of the whole. If fairness is a crime, then those on this side of the chamber stand guilty of fairness—guilty as charged. We will stand against injustice on all occasions, I have no doubt about that. Senator Wong brings such strong and powerful emotions to her argument. She does it very effectively, I have to say. Senator Wong's prime motive is anything other than stifling the government's agenda. It is a political ploy; it is a political stunt. I think the Australian people will see through that very clearly. We have a circumstance where the government, quite rightly, has recalled the parliament to deal with some substantive issues that are necessary for the Australian people to determine.

Senator Cameron: Where are these issues?

Senator BERNARDI: Senator Cameron clearly is not aware that we have discussed the ABCC. The government wanted to re-establish the ABCC because of the systemic corruption within sections of the union movement.

Senator O'Sullivan: It was never condemned.

Senator BERNARDI: Those on the other side have never really condemned it, that I can recall. However, because of the intransigence of the Labor Party and their coalition allies in the Greens, we have a circumstance where the ABCC has not been able to—

Senator Cameron: Mr Acting Deputy President, on a point of order: I have been misrepresented in terms of what has been argued there. I have condemned behaviour on a number of—

The ACTING DEPUTY PRESIDENT (Senator Seselja): Senator Cameron, there is no point of order. That is a debating point.

Senator BERNARDI: We did try to resolve that by implementing the ABCC. Due to the intransigence of those on the other side, that was not possible and the government had to recall parliament. The parliament is now scheduled to go to a double dissolution election, subject to the Prime Minister's discretion. So we have dealt with that substantive issue; and we have dealt with another substantive issue in which tens of thousands of jobs within the trucking industry—indeed, independent contractors—were under threat by a power grab from the union movement initiated by the Labor Party. So, when challenged about what substantive issues this session of parliament was dealing with, those are two significant ones. They may not be important to some on the other side, but they are desperately important to many people in two vital industries—the construction industry, which is worth billions of dollars to this country, and the trucking industry, which is also worth billions of dollars to this country and at least 50,000 potential jobs. These are the sorts of things senators on the other side conveniently ignore when they ask us what important initiatives we are discussing. That is why we should not be suspending standing orders just to indulge their hubris. We are dealing with substantive— (Time expired)

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (17:10): I would also like to add my comments to the debate this afternoon. Labor—dare I say 'in collusion with the Australian Greens'—is showing some crocodile tears: 'Oh dear, parliament has been recalled to discuss issues that are important to Australian small businesses!' Indeed,
parliament has been recalled to discuss ideas of importance to the Australian trucking industry. Oh dear, shock horror! That is not reason enough to bring back the parliament.’ But if we reflect briefly on the events of the last afternoon, what have we seen? We have seen a monumental mess-up. Senator Carr, either operating on his own or operating under instructions from Labor's Senate leadership—who knows—moved a motion to take note of answers. That tripped him into chaos, and there was chaos and drama on the Labor side.

Labor is now trying to restore the order of the Senate because of an error that they made, a miscalculation that they made—or, more specifically, that Senator Carr made. Senator Wong's motion this afternoon tries to cast doubt over the motivation of the government in calling back the Senate and the House of Representatives. Put simply: what we saw, as commented on by Senator Fifield, is that when the spotlight is put on the Senate chamber it acts responsibly. That is why we could get passage of the RSRT legislation. That is why 35,000 owner-businesses in the trucking industry feel safer today than they did yesterday. That is the first point. The second point is that Labor held firm to their lack of commitment, their lack of resolve, to end corruption in Australia's construction industry. Those two important issues were exposed for the whole country to see yesterday. And we come to the Senate chamber this afternoon and Senator Wong has tried to paint that as some sort of tricky motivation on the part of the government. That is not true.

Senator Cameron: You have misled the Governor-General.

Senator SMITH: That is not true. I feel embarrassed for Labor. I feel embarrassed for Senator Cameron. Bill Shorten's motivation—

Senator Bilyk interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Bilyk! Senator Brandis, you have a point of order?

Senator Brandis: Mr Deputy President, Senator Cameron has just reflected upon Senator Smith. His interjection was plainly audible to those of us on this side of the chamber. He said, 'You've misled the Governor-General.' There could be no more serious allegation against any member of parliament than that they misled the Governor-General. With respect, Mr Acting Deputy President, you should insist that Senator Cameron withdraw without any qualification.

The ACTING DEPUTY PRESIDENT: Senator Cameron, I would ask you to withdraw that. I did hear that, and Senator Brandis has brought it to my attention, so I would ask you to withdraw.

Senator Cameron: I just want to indicate that I did not reflect individually on the member; I was talking collectively about the government. I withdraw.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Cameron.

Senator SMITH: Senator Wong's attempt this afternoon to cast doubt over the motivation of the government in recalling parliament is clearly without substance. The second accusation was that somehow the government has been filibustering this afternoon. I will not bore the Senate with Senator O'Neill's contribution to filibustering that we all had to endure during the last debate on Senate electoral reform—though I could. What was important about Senator O'Neill's contribution—which she did not even reflect on—was that it was a filibustering exercise undertaken by an earlier senator in this place that led to the creation of a standing
order putting time restrictions on speeches. So the most fundamental aspect of the filibustering contribution that Senator O’Neill could have reflected on was missed by her.

But back to the substance. We had a discussion this afternoon, initiated by Senator Carr, as he is entitled to do, but it went wrong on a couple of accounts. The accusation that Senator Carr was trying to make against the cabinet secretary, Senator Sinodinos, and, by extension, the minister for industry, Mr Pyne, was an accusation that Labor was guilty of—it was revealed by Senator Cormann that 58 per cent of questions had been left unanswered by Labor in the last stages of the Labor government. It was a catastrophic failure on the part of the Australian Labor Party in the Senate.

As if yesterday was not bad enough for the people who own and control the Labor movement in this place—the trade unions—today is turning out to be a catastrophic disaster of monumental scale. It was right to recall the parliament. There has been no filibustering. Labor has the whole spotlight—(Time expired)

The PRESIDENT: The question is that Senator Wong’s motion be agreed to.

The Senate divided. [17:21]

(A The President—Senator Parry)

Ayes ..................36
Noes ..................28
Majority .............8

AYES

Bilyk, CL
Cameron, DN
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Lazarus, GP
Ludlam, S
Marshall, GM
McEwen, A (teller)
McLucas, J
Muir, R
Peris, N
Rhiannon, L
Siewert, R
Singh, LM
Wang, Z
Whish-Wilson, PS
Brown, CL
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lambie, J
Leyonhjelm, DE
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
O’Neill, DM
Polley, H
Rice, J
Simms, RA
Urquhart, AE
Waters, LJ
Wong, P

NOES

Back, CJ
Birmingham, SJ
Canavan, MJ
Cormann, M
Fawcett, DJ
Fifield, MP
Johnston, D
Bernardi, C
Bushby, DC
Cash, MC
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Lindgren, JM
Question agreed to.

Senator MOORE (Queensland) (17:24): I move:

That a motion relating to hours of meeting and routine of business may be moved immediately and have precedence over all other business until determined.

Mr President, it is very important, and I have taken on board—

Senator Brandis: Mr President, I rise on a point of order. The suspension of standing orders was to enable Senator Wong to move a motion. The motion that was foreshadowed and circulated was not the motion that Senator Moore has now moved. The standing orders having been suspended to enable Senator Wong to move her foreshadowed motion, she may now do that, but Senator Moore cannot now move a different motion unless, of course, the opposition wants to waive the benefit of the suspension of standing orders.

The PRESIDENT: There are two elements to what you are asking. Firstly, I will get clarification of the substance of the motion. Secondly, I understand that any senator can move a motion on behalf of another senator, but I am going to clarify that on this occasion.

Senator Brandis: Mr President, the motion that has just been decided by the chamber is a motion to suspend standing orders, as we know. It was not a motion to suspend standing orders in general. It was a motion to suspend standing orders to enable Senator Wong to move a motion that was circulated in the chamber and standing in her name. The standing orders having been suspended to enable Senator Wong to move her foreshadowed motion, she may now do that, but Senator Moore cannot now move a different motion unless, of course, the opposition wants to waive the benefit of the suspension of standing orders.

The PRESIDENT: There are two elements to what you are asking. Firstly, I will get clarification of the substance of the motion. Secondly, I understand that any senator can move a motion on behalf of another senator, but I am going to clarify that on this occasion.

Senator Brandis: Mr President, the motion that has just been decided by the chamber is a motion to suspend standing orders, as we know. It was not a motion to suspend standing orders in general. It was a motion to suspend standing orders to enable Senator Wong to move a motion that was circulated in the chamber and standing in her name. I acknowledge and accept that one senator may move a motion in the name of another senator, but that is not the question at issue here. Standing orders were suspended in order to deal with the motion circulated in Senator Wong's name. I understand Senator Cormann just provided you with a copy. That was what was circulated in the chamber. It was what senators understood they were voting on when they voted on the suspension motion. If there is any doubt about what the motion was that the opposition was seeking suspension of standing orders for leave to proceed with, then the matter should be recommitted.

The PRESIDENT: We are at the second stage in the motion that was originally moved. That second stage does not prohibit Senator Moore moving that motion on behalf of Senator Wong. According to what I am reading here, unless there are different sheets running around the chamber, the sheet I have here clearly indicates—leave was denied for Senator Wong to move the first portion of the sheet that I am reading from. Therefore, the contingent notice was used by Senator Wong. Without me reviewing Hansard, the wording that I have in front of me does not restrict the motion being the second stage, which is someone now moving that a motion relating to hours of meeting and routine of business may be moved immediately and have precedence over all other business until determined. That does not preclude another senator moving that on behalf—
Senator Cormann and Senator Conroy interjecting—

The PRESIDENT: Order! I am only reading what has been handed to me. Without reviewing the Hansard, I do not know whether additional words were placed in that. Whether Senator Wong wants to give me any indication as to how she presented that motion—if the motion was presented indicating that it was for Senator Wong only, I think then we do have an issue. But I do not think it was. I do not want to delay the Senate much further. I will take one more submission on this, and then we will move on.

Senator Wong: On the point of order, Mr President. This is clearly time wasting by the senator who is leading the government and who really ought to have something else to do than play games in the chamber. I thought that I made it clear that I was seeking to suspend an order to enable a motion to be moved. It is not unusual to have Senator Moore move the motion thereafter. My recollection is that I used the words ‘the opposition’ because, on my feet, I was made aware of the fact that, obviously, we wanted to make sure that I could speak later in the debate. So I had turned my mind to it.

With respect to the government's submission, no-one in this chamber suggests that we do not know what is happening. We are trying to get motions voted on, they are trying to filibuster. So we can have a little lawyers' argument from the Attorney-General—

The PRESIDENT: Senator Wong, you are now starting to debate the issue. I am happy to take points of order on the technicality, but no further debate. Senator Brandis—and I will make this the last one.

Senator Brandis: On the point of order, Mr President, it really is the last refuge of a scoundrel to say that debate about what the standing orders mean is just a bit of lawyers' pedantry. The basis upon which this chamber voted to suspend standing orders was to enable a particular motion to be put, and that is not the motion that Senator Moore has just moved.

The PRESIDENT: I am prepared to rule that Senator Moore can move the motion on behalf of Senator Wong.

Senator MOORE: I am moving this motion, which refers to the hours of business, as Senator Wong had previously put forward. In terms of the advice that we have received, we originally had the suspension to allow the particular issues around hours and the motions which we wished to deal in preference. That was put forward. Now, I am moving the second part which says that we want that motion to be heard without amendment or debate, and immediately.

It is important, Mr President, that we actually know that the Senate is clearly aware about the process. We have heard some commentary from the government—and I understand that we have to be clear—that seeks to say that we are trying to, somehow, confuse or mislead the Senate. That is absolutely not true. The reason that we brought forward the motion this afternoon, and the need we had to go into suspension, was that the government denied the ability for us to move forward a motion to change the order of business. We were clearly concerned that, and we believed that it was intensely important that, important issues on the red that we had come here to consider this afternoon—important issues around the formation of committees and around a range of notices of motion, some of which had been carried over from the last sitting of the parliament—were considered by the Senate this afternoon before
the time ran out for the debate, and that we would have every senator able to participate in
this debate without losing senators.

One of the core issues has been that the hours of business that were given to the Senate
when they brought the Senate back for the extended period that could have been—

The PRESIDENT: Order, Senator Moore. On a point of order, Senator Macdonald.

Senator Ian Macdonald: I am trying to follow the debate, but I am confused as to what
motion Senator Moore has moved and as to what motion she is talking to. Is there a written
motion that the clerks or the attendants can give to me so that I can follow exactly what
Senator Moore is saying?

The PRESIDENT: Thank you, Senator Macdonald. Senator Moore has moved a motion
to seek precedence to have a further motion moved which rearranges the order of business in
effect. Senator Moore has made that quite clear.

Senator Ian Macdonald: You don't know what the motion—

The PRESIDENT: Yes—this is a motion seeking precedence to move a motion to
rearrange the order of business. I think that is quite clear.

Senator Ian Macdonald: But have we got a copy of the motion that she is going to—

The PRESIDENT: We will get attendants to circulate copies of the document that I was
referring to earlier. Senator Moore, you have the call.

Senator MOORE: Senator Macdonald, the process is in place to get the circulation
through and to get the attendants to have that circulated throughout the Senate. What we
brought to the Senate earlier this afternoon was a motion around hours of business which was
looking at ensuring that the business of the Senate was actually concluded in a certain series
of importance and ensuring that issues on the red were able to concluded and debated in this
day of the Senate. As all senators would remember, the original hours of business motion that
we were given, bringing us back to this place, was very clear. It was we were to sit depending
on the passing of a series of legislation that was written in the motion. We were going to sit
until that finished. We were going to have day 1, day 2 and day 3 and 4 if required. That was
all there in the motion that brought us back to Canberra this week. We went through the full
process of having the Governor-General come and recall the parliament. This, of course, is a
Senate that did rise two weeks ago with a proposal that we come back at a period of time into
the future. In that fortnight, apparently things became so urgent around this series of
legislation put in the notice of business that was given to us to bring us back that we had bring
back the Senate for extra sitting days. We came back and we got here, and the only business
that we were to conclude through that sitting period was what was in that notice—which was
a set series of pieces of legislation.

Today, on the red, the process on which we base our business in the Senate, are a number
of notices of motion and a number of references that, in the opinion of the opposition, need to
be concluded. We have brought forward a proposal this afternoon to ensure that that business
would be concluded and that, before we left this place this week, we would have that
concluded. In terms of the process, the reason the opposition has brought forward a process to
reorder the business this afternoon is to ensure that debate could be had by the Senate so it
could conclude the various items of the business. We have done that just to ensure process.
Yesterday, Mr President, as you would be aware, we went through the debate around the ABCC, which was the first item of business on the notice that brought us back to this place. There was no extended debate. We understood that there was an opportunity for senators to have their say, but there was no attempt to make that go longer; there was no attempt to filibuster in any way. To ensure that we got through it, a limited number of senators spoke in that debate, and we concluded that debate.

Then we moved on to the legislation around the trucking industry. Again the process started, and we felt the same kind of process would occur in this place, where any senator who wished to take part in the debate would have the chance to do so. We moved forward with the intent that that would happen. We had a speaking list that was going to be followed. Then there was a gag put into the debate of the Senate on that piece of legislation by the very first speaker—in fact, by the minister bringing forward the legislation into this place.

That is actually legal under the rules of the Senate. That occurred, but it certainly did not allow free and open debate in the Senate for that period. We needed to ensure that we came back. In fact, there was some discussion we would even come back today. There was certainly some consideration. As those pieces of legislation were both concluded yesterday, there was some question about whether we would return today. We did. We came back and we had a number of core issues raised by government members, by opposition members and by crossbench members—by all parties—that we thought should occur and be concluded in today's sitting.

Unfortunately, because of the way this was occurring, there was some concern that perhaps the priority issues may not be reached and that we would be in the same circumstances we were in at the end of the last sitting of the Senate, where a whole range of notices of motion were not able to be brought before the Senate and where a number of references were not able to be brought forward either. We are bringing forward this motion and going through the agreed sequence of how, in the Senate, you have to pursue such an issue—bringing it forward, asking for leave and, when that is denied, actually going to a suspension process, which we have done. We are now at the second part of the process, which is about the hours that we want to sit. When we get through this part and the votes that ensue, we would then move to the substantive motion for debate, which would then put in place that sequence.

The fact is, as I have said in the motion—a motion which puts forward the hours of the debate—the routine of business may be moved immediately and determined without amendment or debate. It is a straightforward process—actually, I will take that back; it is not such a straightforward process, but it is one which is guided by the standing orders of this place. We learn by working our way through it. We learn by surviving the process. Every time we have these debates we get into across-the-chamber allegations of whose practice is worse or better than whose. We will never win that, because we can go back to history on all our sides—I am not looking at you directly, Senator Macdonald—and we can find both poor and very strong practice on every side of this chamber. It is not particularly valuable to say, 'You did this, so now we are doing that.' It is not the way to proceed. It always degenerates into an unprofessional and unsatisfying debate.

It is always important that people are as clear as they can be. The opposition's intent in bringing forward this motion is to ensure that the items on the red that are put before us today will actually get through debate in the Senate and that, when we leave this place, we will have

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looked at what we, as senators, when we came into the chamber this morning expected to consider in today's business, and that we would have certainty that that would occur. In terms of the process, I am not sure whether it is valuable for me to continue speaking any longer. I am looking to see whether I should continue. I am more than capable of going on for the other 10 minutes. I will keep going.

**Senator Ian Macdonald:** This is just a filibuster!

**Senator MOORE:** I very rarely take comments across the chamber, Senator Macdonald, but you actually calling out someone from this side for filibustering is indeed a brave statement, because, having been here for a number of years—not as long as you, Senator Macdonald, through you, Mr President—I have learnt the art by watching people like yourself being able to speak at length over any form of process.

I think it is absolutely important that there is no allegation about anyone trying to mislead this place. The important element—and I cannot stress it too much—is that we want to see what is on the red. As Senator Wong brought forward, we actually want to see the items of business that are currently listed on the red for debate today given the opportunity to be concluded today, before we rise again and before we again have the situation where issues that the Senate needed to consider and issues that the Senate expressed a desire to consider would not occur, and where we would walk away having spent a large amount of time speaking in this place on issues that perhaps we did not particularly want to speak on or that were not particularly that important.

There are issues about the referral of committees and there are a large range of issues that are there under the notices of motion—including a couple under my name; I do not think they are any more important than any others. In terms of the process, we want to ensure that those are concluded. Opportunity in this place is very often limited by the set rules of the Senate so that we would have a period of time in which we are able to have these debates and then after a set period of time the Senate rules move on and we close that section of the process. That is not what we want to occur this afternoon.

Senators who have their Reds in front of them—and I am sure you live by them every day that you are here—can see that under business of the Senate we have a number of committee references. Then we go down to two pages of notices of motion—in fact, I do not think I have seen two pages of notices of motion before—which relate to a range of issues that senators have brought forward and put through the process to ensure that they are before the Senate. They do not wish to be disappointed or frustrated because they will not be able to have that debate effectively here rather than elsewhere. Too often, I think, we have debates outside the chamber, in many groups talking about what should happen, when in fact these debates, wherever possible, should be had here so that every senator who chooses to be involved in the discussion has the opportunity to take part in that.

The issues that are before the Senate are not confusing. The issues that are before the Senate are there for everyone to see. When you look at the Red, you can see exactly which committees are being asked to be formed and have references made to them. You can also see exactly which items of business are being put forward into the Red. As I have said, it should be a simple enough process that senators are able to understand which business they will be looking at during the time that they are here, as indeed are the people who take an interest in the operation of the Senate. We all know that the Dynamic Red is available on the
parliamentary website, and there are some people, bless them, who actually check that website and see what will be on the agenda. So they would expect, if there is something on that Red in which they are interested and on which they have a view, that that would be concluded by the Senate and not moved forward.

As a point of interest, there is a notice of motion on Down syndrome which we put forward in the last sitting of parliament. We were not able to have that concluded in the last sitting of parliament, which actually linked with World Down Syndrome Day. We were not able to have that considered, because the rules of the Senate moved forward and we were not able to get that particular issue to the attention of the Senate and have it voted on. There were a range of organisations that were expecting that that particular motion would be considered by the Senate and we would be able to share in celebrating or noting World Down Syndrome Day. A few of us—and I am sure there are many in here that share that—then had to explain to the organisations to whom we had given a commitment that it could not be considered that day because the process of the Senate did not allow that to happen.

That is but one example, and yet again that particular motion is back on the Red today. It is back among the notices of motion to be considered in this place. Should the motion that the opposition have put forward ever get concluded, we would expect that we would then, as Senator Wong's motion indicated, look at the referrals to committees first and then go through and look at all the items of business as noted on the Red. That seems to me a quite straightforward proposition, and I would expect that there should be agreement around this place that that should be a process that we would be able to conclude.

Of course, for particular reasons, senators have views that they do not want to pursue a certain debate process, and that is why we have the process we saw earlier this afternoon, where leave was denied when Senator Wong put up her original motion. Then we went through the 30-minute process, as allowed by the rules of the Senate, to look at the suspension. Then we had the vote. Then we moved into this segment of the debate, which—as I am sure people across the board, particularly the learned senators on the government benches, would understand—under the processes we have in the Senate is open-ended and allows every senator who wishes to take part a 20-minute option to speak. I have listened to many 20-minute options to speak in this place, and all of them have some value—some more than others. But, in the way we move forward, we allow the process to continue. This afternoon, yet again—in the process that we heard was so important—on the issue Senator Kim Carr brought forward, we heard two very strong contributions by government members in response to that process, each of 20 minutes. Each spoke about how the rules would operate, and no-one stopped that contribution. We allowed the rules to continue so that we would see exactly how the process should operate.

So we move forward. We look at how the process should operate. My motion is before the Senate so that we have the opportunity to look at the sequence of how the issues on the Notice Paper today will be considered. If the government had not been unable to support that motion—a significant time previously to this—we would not be having this debate. We would have been moving through the process quite clearly, looking at each item: the referral motions for the Senate committees and the notices of motion as they were printed. We would be concluding those issues and moving forward. But we are not. We are still in stage 2 of the
series of debates when formality is denied and someone seeks leave. That is what occurred, and we need to move now.

We have had that process. We are moving forward, and I think that we need to ensure that we have the option for the Senate to consider the items of business looking at referrals to committees and then—most clearly, and in some cases probably even importantly—at the extensive list of notices of motion, which actually belong to this Senate and to no-one else. Those notices of motion belong to the Senate, and we should, if we are doing our job, get to that business. I think that there should be an opportunity for all of us to have our different views, if necessary, on some of them. Now, having seen where the procedure debate goes and understanding the process allowing for the procedure to be agreed, we know that we are moving on exactly how we look at the process and ensuring that the Senate is aware of what we are doing, that the Senate takes its position and that the notices are considered.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (17:52): I move:

That the question be now put.

The PRESIDENT: The question is the motion moved by Senator Moore that her motion will take precedence to rearrange the business of the Senate be agreed to.

The Senate divided. [17:56]

(The President—Senator Parry)

Ayres ..................37
Noes ......................28
Majority ...................9

AYES

Bilyk, CL (teller)  Brown, CL
Cameron, DN  Carr, KJ
Conroy, SM  Dastyari, S
Di Natale, R  Gallacher, AM
Gallagher, KR  Hanson-Young, SC
Ketter, CR  Lambie, J
Leyonhjelm, DE  Lines, S
Ludlam, S  Ludwigg, JW
Madigan, JJ  McAllister, J
McEwen, A  McKim, NJ
McLucas, J  Moore, CM
Muir, R  O’Neill, DM
Peris, N  Polkey, H
Rhiannon, L  Rice, J
Siewert, R  Simms, RA
Singh, LM  Urquhart, AE
Wang, Z  Waters, LJ
Whish-Wilson, PS  Wong, P
Xenophon, N

NOES

Back, CJ  Birmingham, SJ
Brandis, GH  Bushby, DC (teller)
Question agreed to.

_Senator Brandis did not vote, to compensate for the vacancy caused by the resignation of Senator Bullock_

_Senator WONG_ (South Australia—Leader of the Opposition in the Senate) (17:59): I move that:

(1) Business of the Senate Notices of Motion Nos 2 and 3, referring matters to the Finance and Public Administration References Committee and General Business notice of motion No. 1134 relating to Estimates hearings, and all remaining items of business listed under item 12 on today's Order of Business be called on immediately and in seriatim, moved and determined without debate or amendment; and

(2) the hours of meeting for the Senate today be 12.30 pm till adjournment and the question on the adjournment shall be proposed when all questions relating to all items of business listed under item 12 on today's Order of Business have been determined.

The PRESIDENT: The question is that that motion be agreed to.

_Senator Brandis_: Mr President—

The PRESIDENT: Senator Brandis, I cannot entertain any debate or discussion, because the motion moved by Senator Moore was clearly resolved saying that it shall be 'determined without amendment or debate'. So I now have to put this motion.

_Senator Brandis_: Mr President, if I may be heard—

The PRESIDENT: Senator Brandis, I will hear you, but only very briefly.

_Senator Brandis_: The motion moved by Senator Wong, to be determined without amendment or debate, is limited to Senate notices of motion Nos 2 and 3 and general business notice of motion No. 1134.

_Senator Wong_: And item 12.
The PRESIDENT: If I can clarify: it is also items under No. 12 on today's Order of Business, which covers basically all the other notices of motion, all the formal business that we would normally determine. Just so everyone is very clear about this: Senator Moore's motion, which was just agreed to, clearly indicated that the next step, which Senator Wong has now moved, proceeds without further debate or amendment. So I have entertained a clarification, but I propose to put the motion.

Senator Ian Macdonald: Can we get a copy of the motion?

The PRESIDENT: Senator Macdonald, rather than getting a copy of the motion—it has been circulated to some people—I am happy to read it out. It is very brief. Senator Moore moved:

That a motion relating to hours of meeting and routine of business may be moved immediately and determined without amendment or debate.

It is quite clear.

Senator Ian Macdonald: Yes, but I—

The PRESIDENT: We have just voted on that, and I do not propose to entertain any further debate.

Senator Ian Macdonald: But I want the motion that she just moved.

The PRESIDENT: Senator Wong just read that out, and it is quite clear.

Senator Ian Macdonald: Aren't we entitled to get a written copy?

The PRESIDENT: No, I do not believe we are. I think it is quite clear. If it were a far more complex motion, I would entertain that. I think the motion is quite clear.

Senator Ian Macdonald: I do not know which motion she is talking about.

The PRESIDENT: I am quite confident that the motion is very clear. I intend to now put the motion. The question is that the motion moved by Senator Wong be agreed to.

The Senate divided. [18:06]

(The President—Senator Parry)

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

AYES

Bilyk, CL (teller) Brown, CL
Cameron, DN Carr, KJ
Conroy, SM Dastyari, S
Di Natale, R Gallagher, AM
Gallagher, KR Hanson-Young, SC
Ketter, CR Lambie, J
Leyonhjelm, DE Lines, S
Ludlam, S Ludwig, JW
Madigan, JJ McAllister, J
McEwen, A McKim, NJ
McLucas, J Moore, CM
O'Neill, DM Peris, N
Polley, H Rhiannon, L
Rice, J Siewert, R
Question agreed to.

*Senator Bernardi did not vote, to compensate for the vacancy caused by the resignation of Senator Bullock*

**COMMITTEES**

**Finance and Public Administration References Committee**

**Reference**

*Senator Wong* (South Australia—Leader of the Opposition in the Senate) (18:08): I move:

(1) That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by 4 May 2016:

The outcomes of the 42nd meeting of the Council of Australian Governments held on 1 April 2016, with particular reference to:

(a) schools funding;
(b) hospitals funding; and
(c) taxation; and
(2) That the Senate directs the responsible ministers to ensure that relevant officials of the Department of the Prime Minister and Cabinet and the Treasury appear before the committee to answer questions.

Question agreed to.

Reference

Senator WONG (South Australia—Leader of the Opposition in the Senate) (18:09): I move:

(1) That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by 4 May 2016:

Commonwealth legislative provisions relating to oversight of associated entities of political parties, with particular reference to the adequacy of:

(a) the funding and disclosure regime relating to annual returns;
(b) the powers of the Australian Electoral Commission with respect to supervision of the conduct of, and reporting by, associated entities of political parties; and
(c) any related matters; and

(2) That the Senate direct Senator Sinodinos to appear before the committee to answer questions.

Senator Brandis: Mr President, I seek leave to make a short statement—

Senator Xenophon: I move that the motion—

The PRESIDENT: Order! Senator Brandis sought leave. Senator Xenophon, we cannot amend or debate the motion.

Senator Xenophon: My position is that the motion be divided. I understand that is still consistent with the motion that has been passed.

The PRESIDENT: You can. Senator Brandis, did you have something on a similar matter or nature?

Senator Brandis: Mr President, I had sought leave to make a short statement in relation to the motion but I am happy for you to dispose of Senator Xenophon's point of order first.

The PRESIDENT: Senator Xenophon, you want to divide the motion into parts 1 and 2.

Senator Xenophon: That is correct, Mr President.

The PRESIDENT: We will so determine to do that. Senator Brandis, do you still seek leave in relation to your request?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (18:10): I seek leave to make a short statement in relation to paragraph 2 of the motion.

The PRESIDENT: Leave is granted for one minute.

Senator BRANDIS: I thank the Senate. Paragraph 2 of the motion seeks to have the Senate direct a member of the Senate to appear before a Senate committee. That is unprecedented and a violation of a very fundamental parliamentary principle. Senate committees can call any individual, including members of the Senate, before them, but the Senate cannot direct a member of the Senate to appear before a committee. The consequence would be that in a chamber where the majority had control, the government could direct an opposition senator to appear before a government-controlled committee. It could direct the
Leader of the Opposition or a shadow minister to appear before a government-controlled committee. It will be obvious to honourable senators what a shocking precedent that would be. (Time expired)

The PRESIDENT: I will now put the motion in two parts. I will deal with notice of motion No. 3, part 1, first. The question is that that motion be agreed to.

Senator Ian Macdonald: Can you read it out?

The PRESIDENT: It is in the Notice Paper, Senator Macdonald, there should be a furnished Notice Paper in the chamber. I do not propose to read it out. Just to be clear: it is notice of motion business of the Senate No. 3 paragraph 1.

Question agreed to.

The PRESIDENT: The question is that business of the Senate notice of motion No. 3, part 2, be agreed to.

The Senate divided. [18:17]

(The President—Senator Parry)

Ayes ..................... 32
Noes ..................... 30
Majority ................ 2

AYES

Bilyk, CL
Cameron, DN
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Lazarus, GP
Ludlam, S
McAllister, J
McKim, NJ
Moore, CM
Peris, N
Rhiannon, L
Siewert, R
Urquhart, AE
Whish-Wilson, PS

Brown, CL
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lambie, J
Lines, S
Ludwig, JW
McEwen, A (teller)
McLucas, J
O’Neill, DM
Polley, H
Rice, J
Simms, RA
Waters, LJ
Wong, P

NOES

Back, CJ
Brandis, GH
Canavan, MJ
Colbeck, R
Edwards, S
Ferravanti-Wells, C
Heffernan, W
Lindgren, JM
Madigan, JJ
McKenzie, B
O’Sullivan, B

Birmingham, SJ
Bushby, DC (teller)
Cash, MC
Cornmann, M
Fawcett, DJ
Fifield, MP
Johnston, D
Macdonald, ID
McGrath, J
Nash, F
Parry, S
BUDGET
Consideration by Estimates Committees

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:19): At the request of Senator Moore, I move:

(1) That the estimates hearings by legislation committees for 2016-17 Budget estimates be scheduled as follows:
   Thursday, 5 May (Group A), and
   Friday, 6 May (Group B);

(2) That the orders of the Senate of 26 August 2008 and 23 June 2015 cross portfolio estimates hearings on Indigenous matters not be proceeded with for the Budget Estimates 2016-17 only.

(3) That the committees consider the proposed expenditure in accordance with the allocation of departments and agencies to committees agreed to by the Senate.

(4) The committees meet in the following groups:
   Group A:
   Environment and Communications
   Finance and Public Administration
   Legal and Constitutional Affairs
   Rural and Regional Affairs and Transport
   Group B
   Community Affairs
   Economics
   Education and Employment
   Foreign Affairs, Defence and Trade.

(5) The committees report to the Senate by 11 May 2016.

(6) That the Senate not meet on Thursday 5 May 2016.

The PRESIDENT: The question is that notice of motion No. 1134 moved by Senator McEwen be agreed to.

The Senate divided. [18:20]

(The President—Senator Parry)

Ayes .....................34
Noes .....................28
Majority .................6
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Question agreed to.

NOTICES
Withdrawal

Senator MUIR (Victoria) (18:23): I now withdraw business of the Senate notice of motion No. 1 standing in my name for today proposing a reference to the Rural and Regional Affairs and Transport Legislation Committee (Road Safety Remuneration Repeal Bill 2016)

BUSINESS
Consideration of Legislation

Senator BACK (Western Australia) (18:24): I move:

That, pursuant to standing order 136(1)(a), the Criminal Code Amendment (Animal Protection) Bill 2015 be restored to the Notice Paper and that consideration of the bill be resumed at the stage reached in the last session of the Parliament.
Question agreed to.

**Consideration of Legislation**

**Senator BACK** (Western Australia) (18:24): At the request of Senator McKenzie, I move:

That:

(a) pursuant to standing order 136(1)(a) the Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015 be restored to the Notice Paper and that consideration be resumed at the stage reached in the last session of the Parliament; and

(b) in accordance with standing order 115(3), further consideration of the bill be made an order of the day for 20 June 2016.

Question agreed to.

**MOTIONS**

**Tobacco Taxation**

**Senator LEYONHJELM** (New South Wales) (18:24): I move:

That the Senate notes:

(a) tobacco taxes fall disproportionately on the poor;

(b) Australia's taxation of tobacco is already high by international standards; and

(c) higher tobacco taxes will promote the production and smuggling of illicit tobacco by organised crime.

Question negatived.

**Anti-Corruption Commission**

**Senator DI NATALE** (Victoria—Leader of the Australian Greens) (18:25): I move:

That the Senate—

(a) notes that:

(i) corruption in any sector of society is unacceptable and threatens the fabric of our democracy, and

(ii) the Government's attempt to legislate the Australian Building and Construction Commission is not about corruption, but the enforcement of anti-worker laws; and

(b) calls on the Government to immediately legislate to establish a national Anti-Corruption Commission to address corruption among public officials and politicians that threatens the fabric of our democracy.

**Senator Moore:** I have a question around the motion in terms of the formality. My understanding is that the motion that we moved meant that there was no request about formality.

**The PRESIDENT:** Thank you, Senator Moore. That is a good clarification. We will deal with them without seeking formality and follow the order. We will go down each item. That motion has now been moved. You did move that Senator Di Natale?

**Senator DI NATALE:** Yes, I did.

**The PRESIDENT:** The question is that notice of motion No. 1117 be agreed to.

The Senate divided. [18:30]

(The President—Senator Parry)
Ayes ...................... 13
Noes ...................... 36
Majority ............... 23

AYES

Di Natale, R
Lambie, J
Ludlam, S
McKim, NJ
Rice, J
Simms, RA
Whish-Wilson, PS

Hanson-Young, SC
Lazarus, GP
Madigan, JJ
Rhiannon, L
Siewert, R (teller)
Waters, LJ

NOES

Back, CJ
Bushby, DC
Canavan, MJ
Colbeck, R
Fawcett, DJ
Gallacher, AM
Heffernan, W
Ketter, CR
Lindgren, JM
Ludwig, JW
McEwen, A (teller)
McLuccas, J
O’Neill, DM
Parry, S
Peris, N
Ruston, A
Scullyon, NG
Smith, D

Bilyk, CL
Cameron, DN
Carr, KJ
Conroy, SM
Fierravanti-Wells, C
Gallagher, KR
Johnston, D
Leyonhjelm, DE
Lines, S
Macdonald, ID
McKenzie, B
Moore, CM
O’Sullivan, B
Paterson, J
Reynolds, L
Ryan, SM
Seselja, Z
Williams, JR

Question negatived.

BUSINESS

Consideration of Legislation

Senator RHIANNON (New South Wales) (18:32): I move:

That:

(a) pursuant to standing order 136(1)(a), the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2016 be restored to the Notice Paper and that consideration be resumed at the stage reached in the last session of the Parliament; and

(b) in accordance with standing order 115(3), further consideration of the bill be made an order of the day for 17 June 2016.

Question agreed to.

Consideration of Legislation

Senator DI NATALE (Victoria—Leader of the Australian Greens) (18:33): I move:
That, pursuant to standing order 136(1)(a), the following bills be restored to the Notice Paper and that consideration of each of the bills be resumed at the stage reached in the last session of the Parliament:

- National Integrity Commission Bill 2013
- Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
- Corporations Amendment (Publish What You Pay) Bill 2014
- Motor Vehicle Standards (Cheaper Transport) Bill 2014
- Environment Protection and Biodiversity Conservation Amendment (Alpine Grazing) Bill 2014
- Private Health Insurance Amendment (GP Services) Bill 2014
- Migration Amendment (Visa Maximum Numbers Determinations) Bill 2013
- Migration Amendment (Humanitarian Visa Intake) Bill 2014
- Recognition of Foreign Marriages Bill 2014
- Marriage Equality Amendment Bill 2013
- Guardian for Unaccompanied Children Bill 2014
- Migration Amendment (Protecting Babies Born in Australia) Bill 2014
- Defence Legislation Amendment (Parliamentary Approval of Overseas Service) Bill 2015
- Commonwealth Electoral Amendment (Reducing Barriers for Minor Parties) Bill 2014
- Live Animal Export (Slaughter) Prohibition Bill 2014
- End Cruel Cosmetics Bill 2014
- Native Title Amendment (Reform) Bill 2014
- Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014
- Save Our Sharks Bill 2014
- Social Security and Other Legislation Amendment (Caring for Single Parents) Bill 2014
- Social Security Amendment (Caring for People on Newstart) Bill 2014
- Stop Dumping on the Great Barrier Reef Bill 2014
- Great Barrier Reef Legislation Amendment Bill 2014
- Commonwealth Electoral Amendment (Donations Reform) Bill 2014
- Competition and Consumer Amendment (Australian Country of Origin Food Labelling) Bill 2015
- Landholders’ Right to Refuse (Gas and Coal) Bill 2015
- Australian Centre for Social Cohesion Bill 2015
- International Aid (Promoting Gender Equality) Bill 2015
- Charter of Budget Honesty Amendment (Intergenerational Report) Bill 2015
- Automotive Transformation Scheme Amendment (Securing the Automotive Component Industry) Bill 2015
- Fair Work Amendment (Gender Pay Gap) Bill 2015
- Environment Protection and Biodiversity Conservation Amendment (Prohibition of Live Imports of Primates for Research) Bill 2015
- Migration Amendment (Free the Children) Bill 2016
- Restoring Territory Rights (Dying with Dignity) Bill 2016
- Trade and Foreign Investment (Protecting the Public Interest) Bill 2014.
Question agreed to.

**Consideration of Legislation**

*Senaor McEWEN* (South Australia—Opposition Whip in the Senate) (18:33): On behalf of Senator Wang, I move:

That, pursuant to standing order 136(1)(a), the Commonwealth Grants Commission Amendment (GST Distribution) Bill 2015 be restored to the *Notice Paper* and that consideration of the bill be resumed at the stage reached in the last session of the Parliament.

Question agreed to.

**Consideration of Legislation**

*Senaor MUIR* (Victoria) (18:33): I move:

That, pursuant to standing order 136(1)(a), the Social Security Amendment (Diabetes Support) Bill 2016 be restored to the *Notice Paper* and that consideration of the bill be resumed at the stage reached in the last session of the Parliament.

Question agreed to.

**DOCUMENTS**

*Research Infrastructure Review*  
*Order for the Production of Documents*

*Senaor KIM CARR* (Victoria) (18:34): I move:

That there be laid on the table by the Minister for Education and Training, no later than 9.30 am on Wednesday, 20 April 2016, a copy of the report of the Research Infrastructure Review.

Question agreed to.

**BUSINESS**

**Consideration of Legislation**

*Senaor MOORE* (Queensland) (18:34): I move:

That, pursuant to standing order 136(1)(b), a message be sent to the House of Representatives requesting the House to resume consideration of ‘A Bill for an Act to amend the Social Security (Administration) Act 1999, and for related purposes’ [Social Security (Administration) Amendment (Consumer Lease Exclusion) Bill 2015], which was transmitted to the House of Representatives for its concurrence during the last session of Parliament, and the proceedings on the bill having been interrupted by the prorogation of Parliament.

Question agreed to.

**Consideration of Legislation**

*Senaor MOORE* (Queensland) (18:34): I move:

That, pursuant to standing order 136(1)(a), the following bills be restored to the *Notice Paper* and that consideration of each of the bills be resumed at the stage reached in the last session of the Parliament:

- Privacy Amendment (Privacy Alerts) Bill 2014
- Freedom of Information Amendment (Requests and Reasons) Bill 2015
- Parliamentary Joint Committee on Intelligence and Security Amendment Bill 2015.

Question agreed to.
Consideration of Legislation

Senator MOORE (Queensland) (18:34): I move:

That:

(a) pursuant to standing order 136(1)(a) the Fair Work Amendment (Protecting Australian Workers) Bill 2016 be restored to the Notice Paper and that consideration be resumed at the stage reached in the last session of the Parliament; and

(b) further consideration of the bill be made an order of the day for the next day of sitting and that it be considered on Thursday, 21 April 2016, under standing order 57(1)(d)(i) relating to consideration of private senators' bills.

Question agreed to.

MOTIONS

Indigenous Incarceration and Deaths in Custody

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:34): I move:

That the Senate—

(a) notes that 15 April 2016 marked 25 years since the release of the report of the Royal Commission into Aboriginal Deaths in Custody in 1991;

(b) recognises that Aboriginal and Torres Strait Islander peoples:

(i) are imprisoned at a rate 13 times higher than that of non-Indigenous people, and are estimated to make up 3 per cent of the Australian population, but 27 per cent of the prison population, and

(ii) constituted 14 per cent of the prison population in 1991, but now make up 27 per cent of the prison population;

(c) acknowledges that more than 204 Aboriginal people have died in custody since the release of the Royal Commission report;

(d) expresses its concern that a quarter of a century later, many of the Royal Commission's recommendations have not been fully implemented; and

(e) calls on the Commonwealth and state and territory governments to:

(i) implement in full the recommendations of the Royal Commission into Aboriginal Deaths in Custody, and

(ii) adopt justice targets in order to close the gap and to change the record on the rates of incarceration of Aboriginal and Torres Strait Islander peoples.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government is opposed to this motion, but we are not opposed to the important work of addressing Indigenous incarceration and deaths in custody. We acknowledge that any death in custody is tragic and is one too many. The government is opposed to this motion as it is not appropriate for the Commonwealth to sign up to matters which are clearly the responsibility of the states. State and territory governments are responsible for the criminal justice system, and it is appropriate that they take a lead role in addressing matters within the justice system. The Turnbull government is committed to initiatives that focus on tackling the underlying disadvantage that increases the likelihood of a person coming into contact with the justice system.
Financial Services

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:36): At the request of Senator Wong, I move:

That the Senate—

(a) notes that:

(i) the confidence and trust in the financial services industry has been shaken by ongoing revelations of scandals, which have resulted in tens of thousands of Australians being ripped off, including:

(A) retirees who have had their retirement savings gutted,
(B) families who have been rorted out of hundreds of thousands of dollars,
(C) small business owners who have lost everything, and
(D) life insurance policy holders who have been denied justice,

(ii) the first 3 months of 2016 alone have seen:

(A) allegations of serious misconduct in the insurance industry,
(B) the launch of an investigation into several banks for bank bill swap rate fixing, and
(C) allegations that major financial institutions have supported systematic tax avoidance as a result of the disclosure of the Panama Papers,

(iii) it is clear from the breadth and scope of the allegations That the problems in this industry go beyond any one bank or type of financial institution,

(iv) on 6 April 2016, the Prime Minister himself said 'There have been too many troubling incidents over recent times for them simply to be dismissed',

(v) Australian Labor Party, the Australian Greens, crossbench, Australian Liberal Party and The Nationals parliamentarians have supported further investigation of these allegations through a Royal Commission, and

(vi) Australia has one of the strongest banking systems in the world, but Australians must have confidence in their banks and financial institutions, making it necessary to sweep away doubt and uncover and deal with unethical behaviour that compromises that confidence; and

(b) calls on the Prime Minister to request His Excellency the Governor-General of the Commonwealth of Australia issue Letters Patent to establish a Royal Commission to inquire into misconduct in the banking and financial services industry.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government opposes this motion for a royal commission. The government recognises that Australia's banks and banking executives have not always lived up to the standards expected by the community, but the government does not support appointing a royal commission into banking and financial services. The government continues to support our regulators in ensuring the integrity in our finance and banking system, ensuring Australian consumer protection is watertight and ensuring malpractice is punished. A royal commission has no power to enforce the law, whether through taking prosecution action against a person or body or making findings of a breach of the law and imposing fines or penalties. We need to focus on implementing the reforms needed to strengthen our financial
system. We have already started implementing measures to improve consumer outcomes, including improving the professional standards of financial advisers.

The PRESIDENT: The question is that general business notice of motion No. 1127 be agreed to.

The Senate divided. [18:41]

(The President—Senator Parry)

Ayes ................... 33
Noes .................... 27
Majority ............... 6

AYES

Bilyk, CL
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Lambie, J
Lines, S
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
O'Neill, DM
Polley, H
Rice, J
Simms, RA
Whish-Wilson, PS
Xenophon, N
Cameron, DN
Conroy, SM
Di Natale, R
Gallagher, KR
Ketter, CR
Lazarus, GP
Ludlam, S
Madigan, JJ
McEwen, A (teller)
McLucas, J
Muir, R
Peris, N
Rhiannon, L
Siewert, R
Waters, LJ
Wong, P

NOES

Back, CJ
Bushby, DC (teller)
Cash, MC
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
Macdonald, ID
McKenzie, B
O'Sullivan, B
Paterson, J
Ruston, A
Scull, NG
Smith, D
Birmingham, SJ
Canavan, MJ
Colbeck, R
Fawcett, DJ
Fifield, MP
Johnston, D
Lindgren, JM
McGrath, J
Nash, F
Parry, S
Reynolds, L
Ryan, SM
Seselja, Z

Question agreed to.
BUSINESS

Rearrangement

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:43): At the request of Senator Wong, I move:

That, for the first 30 days of the second session of the 44th Parliament, the provisions of standing order 74(5) apply to questions on notice lodged in the first session of this Parliament and which remained unanswered at the prorogation of the Parliament, as if the prorogation did not occur.

Question agreed to.

NOTICES

Withdrawal

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:43): At the request of Senators Polley and Lambie, I withdraw general business notice of motion No. 1129 standing in the names of Senators Polley and Lambie.

MOTIONS

Myanmar

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (18:44): I move:

That the Senate—

(a) notes that on 8 November 2015, Myanmar held its first openly contested election in 25 years;

(b) congratulates the people of Myanmar on the peaceful and efficient conduct of the election, which was a powerful demonstration of the people's wish to transition to democracy;

(c) notes:

(i) the result of the election, which delivered a significant majority to the National League for Democracy (NLD), the political movement led by pro democracy campaigner Ms Aung San Suu Kyi,

(ii) the election by Myanmar's Union Parliament on 15 March 2016 of Mr Htin Kyaw as President, and

(iii) the election of Mr Henry Van Thio to the office of Second Vice President, and its particular significance for the Chin and Christian communities of Myanmar, given this is the most senior office to be held by a Chin person since the Union of Burma was formed in 1947; and

(d) recognises That the selection of the Myanmar's president and vice presidents is an important step in its political transition, whilst noting the need for further reforms to strengthen representative government in that country.

Question agreed to.

Public Transport

Senator RICE (Victoria) (18:44): I move:

That the Senate—

(a) notes that:

(i) the Turnbull Government is yet to commit funding to any major public transport projects in our urban centres,
(ii) the recent audit of East West Link federal funding showed significant flaws in the Liberal Government's approvals and funding decisions for that proposed project, and that there are strikingly similar features of the funding decisions for WestConnex and Perth Freight Link toll roads,

(iii) communities in Sydney, Perth and Melbourne are standing up and saying they do not want more polluting toll roads pushed through their urban neighbourhoods, and

(iv) investment in well designed public transport infrastructure is a more effective, economic, equitable and less polluting means of tackling congestion than new toll road projects; and

(b) calls on the Government to withdraw funding for WestConnex and the Perth Freight Link, and prioritise funding for public transport in our major urban centres before polluting toll roads that further embed car dependence in our cities.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (18:44): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RYAN: I thank the chamber. The government is taking a mode-neutral approach when assessing the optimum transport solutions to address identified network deficiencies. The Asset Recycling Initiative has committed up to $1.6 billion towards urban rail projects in New South Wales, including Sydney Metro and a second harbour crossing. In the ACT, we are contributing $60 million towards the light-rail project. The Australian government has also recently committed $95 million towards Gold Coast light rail stage 2 and, in November 2015, announced a $2 million rail option scoping study that will examine Western Sydney's rail transport needs, including serving the proposed Western Sydney airport and the Western Sydney priority growth and land release areas. In addition, we have announced $10 million to further a study into the Melbourne Metro project. The Australian government is committed to delivering the much-needed Perth Freight Link and WestConnex projects and stands ready to fund the East West Link, should a Victorian government choose to build it.

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

The Senate divided. [18:49]

(The President—Senator Parry)

Ayes ....................10
Noes ....................35
Majority ................25

AYES

Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Waters, LJ

Hanson-Young, SC
McKim, NJ
Rice, J
Simms, RA
Xenophon, N

NOES

Back, CJ
Cameron, DN
Colbeck, R
Edwards, S
Fierravanti-Wells, C

Bushby, DC (teller)
Carr, KJ
Dastyari, S
Fawcett, DJ
Gallacher, AM
Australian Pesticides and Veterinary Medicines Authority

Senator CAMERON (New South Wales) (18:51): I move:
That the Senate—
(a) notes that:
(i) the Australian Pesticides and Veterinary Medicines Authority (APVMA) is a Commonwealth statutory authority established in 1993 to centralise the registration of all agricultural and veterinary chemical products into the Australian marketplace, replacing separate state and territory government systems of registration,
(ii) the APVMA's activities are mostly funded through cost recovery, in accordance with the agreement which established the National Registration Scheme,
(iii) most of the APVMA's operational income is collected from registrants of pesticides and veterinary medicines, who pay application fees to register products, and an annual fee to maintain product registrations, and also pay levies based on the annual wholesale sales value of registered products,
(iv) the APVMA uses independent expert scientific advice to inform and guide regulatory decisions,
(v) the APVMA is responsible for protecting people, animals, crops, the environment and trade,
(vi) the APVMA currently employs up to 200 people, comprising 90 regulatory scientists, officers who audit and license manufacturing premises, lawyers, compliance staff, a significant information technology section and case managers,
(vii) there is a significant training element for staff working at the APVMA,
(viii) since 2014, the Minister for Agriculture and Water Resources has sought to move the APVMA to Armidale without undertaking a cost benefit analysis, and
(ix) in January 2016, the Government committed to undertaking a cost-benefit analysis; and
(b) calls on the Government to:
(i) fulfil its commitment to an independent and transparent cost-benefit analysis, and
(ii) make the final report public before the 2016 election is called.

Question agreed to.
Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project

Senator LINES (Western Australia) (18:51): General business notice of motion No. 1133 stands in my name and also in the name of Senator Sterle; I wish to add Senator Siewert to the motion—

The PRESIDENT: So added.

Senator LINES: and I seek leave to amend the motion.

Leave granted.

Senator LINES: I amend general business notice of motion No. 1133 standing in my name and in the names of Senators Sterle and Siewert for today relating to the ATSISPEP Kimberley Roundtable Report and move the motion as amended:

That the Senate—
(a) calls upon the Government to recognise and act on the increasing prevalence of aboriginal suicide in Western Australia's Kimberley region; and
(b) notes the urgency contained in the findings of the report of the ATSISPEP Kimberley Suicide Prevention Roundtable Report.

The PRESIDENT: I presume the amendment has been circulated?

Senator Ryan: Is the amendment as was circulated? I just want to make sure.

The PRESIDENT: We are just clarifying: it is as circulated. The question is that that motion as amended be agreed to.

Question agreed to.

DOCUMENTS

Perth Freight Link

Order for the Production of Documents

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (18:53): I move:

That:

(a) the Senate notes:

(i) as the Prime Minister (Mr Turnbull) stated on 15 November 2010, when in Opposition, that it would beggar belief that a government could be so reckless as to allow such a massive investment to proceed without the publication of a business case, without the ongoing scrutiny of a parliamentary committee and, above all, without a rigorous cost-benefit analysis, and that any major infrastructure project must be subject to a rigorous cost-benefit analysis and if it does not pass a rigorous cost-benefit analysis then it necessarily detracts from Australia's wellbeing,

(ii) the resolution of the Senate of 14 October 2015 proposed by a senator from The Nationals that noted the importance of significant funding proposals being accompanied by detailed business cases and subject to a full assessment process, including by Infrastructure Australia, if $100 million or more of Commonwealth funding is sought, to ensure value for taxpayers' money;

(iii) the announcement on 12 April 2016 by the Prime Minister of an additional $260 million for the Perth Freight Link, bringing the total federal contribution to $1.2 billion for a project with no business case; and

(iv) the ongoing deterioration in Western Australia's budget position, with the recent downgrading of Western Australia's Triple A credit rating to AA2, the second credit downgrading in 18 months;
(b) there be laid on the table by the Minister for Finance, no later than 4 pm on Wednesday, 20 April 2016, the following:

(i) any correspondence between any minister and/or member of the federal bureaucracy with any minister and/or member of the state bureaucracy on the decision to provide an additional $260 million funding for the Perth Freight Link tunnel and the related public announcement, including any requests or proposals for additional funding from either government, any costings, briefing notes, speaking points, designs, maps, availability and type of tunnelling infrastructure, and related documents;

(ii) any correspondence between the Federal Minister for Finance (Senator Cormann), or any member of the Federal Government and any member of the Western Australian Government, including the Premier (Mr Barnett), relating to expediting the federal funding of the Perth Freight Link project;

(iii) the business case and cost-benefit analysis for the Perth Freight Link Tunnel; and

(iv) a list of every National Partnership Agreement for infrastructure projects that have received over $100 million in federal funding from the Abbott-Turnbull Federal Government without a published business case and cost-benefit analysis.

Question agreed to.

COMMITTEES

Joint Committee of Public Accounts and Audit

Meeting

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (18:53): I seek leave to amend general business notice of motion No. 1136.

Leave granted.

Senator SMITH: I amend the motion by omitting 'Thursday, 28 April 2016, from 10.30 am' and ask that the amended motion be taken as formal. The full text of the revised motion has been circulated in the chamber. I move the motion as amended:

That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, as follows:

(a) Tuesday, 3 May 2016, from 11.30 am; and

(b) Thursday, 5 May 2016, from 10.30 am.

Question agreed to.

MOTIONS

Steel Industry

Senator LAMBIE (Tasmania) (18:54): As to general business notice of motion No. 1138, standing in my name and in the names of Senators Lazarus, Xenophon and Madigan, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator LAMBIE: This motion before the Senate today is taken almost word for word from a submission that was made to the Senate steel inquiry by the steelworkers of Wollongong in New South Wales. They know that the Australian steel industry is doomed and tens of thousands of jobs will be lost unless our major political parties back mandated local content on government projects. The purpose of this motion is to force senators to vote and publicly declare their position with regard to the compulsory use of Australian-made steel.
in all public procurement. Labor's steel policy, despite many comforting words, does not allow for the mandating of local steel content in government projects, despite calls from the AMWU and the AWU. The steelworkers of Australia and their supporters will carefully watch where senators vote on this motion. I move the motion standing in our names:

That the Senate calls on the Government to:

(a) merge the anti-dumping and safeguards functions into one agency, for example, the Anti Dumping and Safeguards Commission, as occurs in the United States of America (US) and other jurisdictions;

(b) enable anti-dumping applications to be made by industry bodies and trade unions by amending the interested parties definition;

(c) enable and resource the Anti Dumping Commission (ADC) to:

(i) conduct faster and more comprehensive investigations particularly around circumvention countervailing activity,

(ii) share data with overseas jurisdictions that have conducted their own investigations and imposed significantly higher duties, and

(iii) regularly 'benchmark' remedies on like products with other jurisdictions around the world, and in particular the US, Asia and the European Union;

(d) commit additional resources to the ADC to enable independent verification in investigations of importer data and documentation in all applications to ensure the integrity of these processes;

(e) mandate through legislation the use of Australian-made steel in all public procurement, and ensure that all federal grants to the states for infrastructure projects do the same;

(f) apply and enforce enhanced and agreed Australian Steel Standards and Specifications which should be enforced in all federal publicly-funded projects and grants to states for this purpose and apply at every subcontracted level of activity;

(g) ensure all defence and security-sensitive procurement of steel to be Australian-made where those products are locally-produced and can, in a reasonable timeframe, be made in Australia; and

(h) develop and implement, in consultation with industry, union and community stakeholders, an Australian steel industry sustainability plan to incorporate a holistic suite of reforms and measures such as the ones listed above to ensure the survival of this industry.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (18:54): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RYAN: On behalf of the minister in the other place: Australia already has a robust and effective antidumping system that ensures Australian industry competes on a fair playing field. The government's most recent antidumping reforms included better support for Australian businesses engaging with the system, cracking down on uncooperative exporters, improving the merits review process, introducing measures to address circumvention of duties and improving the operational effectiveness of the Anti-Dumping Commission.

Mandating the use of Australian steel, as proposed by Labor, the Greens and others, threatens our international trade obligations and puts at risk the livelihoods of small and medium enterprises and all the jobs of those who rely on the opportunities that these agreements provide every day. The government is committed to setting the right economic environment by reducing red tape and equipping businesses with key market information and the opportunities to expand and/or export.

The PRESIDENT: Leave is granted for one minute.

Senator KIM CARR: Labor does not support this motion because the amount of Australian steel used in public projects can be raised by more effective means than that of setting mandatory targets. Labor has already announced a six-point plan to secure the future of strategically significant metals manufacturing industries, including maintaining Australian standards for steel in all federally funded projects; seeking to maximise the use of local steel in federally funded projects; ensuring Australia's antidumping regulator has sufficient powers; working with the commission to strengthen the system, particularly on countervailing measures; appointing a steel industry advocate; halving the threshold for projects required to have Australian Industry Participation Plans; and doubling the funding for the Australian Industry Participation Authority. We are confident that our plan offers a more effective means of maximising the amount of Australian steel used in publicly funded projects.

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

The Senate divided. [19:01]

(The President—Senator Parry)

Ayes ......................15
Noes ......................33
Majority .................18

AYES
Di Natale, R
Lambie, J (teller)
Ludlam, S
McKim, NJ
Rhiannon, L
Siewert, R
Waters, LJ
Xenophon, N

Hanson-Young, SC
Lazarus, GP
Madigan, JJ
Muir, R
Rice, J
Simms, RA

NOES
Back, CJ
Bushby, DC
Carr, KJ
Dastyari, S
Fawcett, DJ
Gallacher, AM
Heffernan, W
Ketter, CR
Lindgren, JM
Ludwig, JW
McKenzie, B
Moore, CM
O'Sullivan, B
Paterson, J
Polley, H
Ryan, SM

Bilyk, CL
Cameron, DN
Colbeck, R
Edwards, S
F ierravanti-Wells, C
Gallagher, KR
Johnston, D
Leyonhjelm, DE
Lines, S
McEwen, A (teller)
McLucas, J
O'Neill, DM
Parry, S
Peris, N
Reynolds, L
Smith, D
Question negatived.

BUSINESS

Consideration of Legislation

Senator XENOPHON (South Australia) (19:04): I move—

That—

(a) so much of standing orders be suspended as would prevent this resolution having effect;
(b) the Parliamentary Entitlements Legislation Amendment Bill 2014 be restored to the Notice Paper and that consideration be resumed at the stage reached in the last session of the Parliament; and
(c) further consideration of the bill be made an order of the day for the next day of sitting, and that the bill have precedence over all other Government business on 2 May 2016 and following sitting days until it is finally determined.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator XENOPHON: This legislation to axe the so-called gold pass scheme for former MPs was passed in the House of Representatives in October 2014—more than 500 days ago. This motion seeks to ensure that this bill is debated on 2 May, when the parliament resumes, in order that we can deal with it once and for all. Either the government is fair dinkum about getting rid of this perk, or it is not. That is what this motion is about.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (19:05): I seek leave to make a very short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government already intends to restore the Parliamentary Entitlements Legislation Amendment Bill 2014 to the Notice Paper on 2 May 2016. It will be brought on by the government for debate once the Senate has dealt with preceding government priorities. It is a longstanding and important convention that the government determines the sequence of government business.

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

The Senate divided. [19:09]

(The President—Senator Parry)

Ayes ...................16
Noes ....................32
Majority ................16

AYES

Di Natale, R
Lambie, J
Leyonhjelm, DE
Madigan, JJ

Hanson-Young, SC
Lazarus, GP
Ludlam, S
McKim, NJ

CHAMBER
Question negatived.

DOCUMENTS

Macroeconomics.com.au Pty Ltd

Order for the Production of Documents

Senator XENOPHON (South Australia) (19:11): I move:

That the Senate—

(a) notes that:

(i) the Minister for Defence has declined to provide documents commissioned from Macroeconomics.com.au Pty Ltd relating to the potential impact on the Australian economy in accordance with the 17 November 2014 order for production of documents,

(ii) on 23 February 2016 the Minister advanced a public interest immunity claim That the Department of Defence commissioned the documents to inform the Cabinet's consideration of the build of the future submarine,

(iii) in 1975 the Senate by resolution laid out its position with respect to public interest immunity claims indicating that, while the Senate may permit claims of public interest immunity to be advanced, it reserves the right to determine whether any particular claim will be accepted,

(iv) on 3 March 2016 a further order for production of documents was made by the Senate requiring the Minister for Defence to provide the basis for the public interest immunity claim made in the Senate on 23 February 2016, and

(v) on 16 March 2016 the Minister failed to comply with the order for production of documents of 3 March 2016 indicating That the Government would not disclose legal advice; and
(b) does not accept the public interest immunity claim made by the Minister for Defence in relation to the order for production of documents of 17 November 2014, and that there be laid on the table by the Minister for Defence, by the next day of sitting, the documents commissioned from Macrooeconomics.com.au Pty Ltd, including economic modelling and other examination of the potential economic impact of the SEA1000 submarine project on the Australian economy, among other subjects.

**The PRESIDENT:** The question is that the motion be agreed to.

The Senate divided. [19:16]

(The President—Senator Parry)

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<td>Noes</td>
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<td>Majority</td>
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**AYES**

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**NOES**

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<td>Williams, JR</td>
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Question agreed to.

BUSINESS

Consideration of Legislation

Senator XENOPHON (South Australia) (19:18): I move:

(a) pursuant to standing order 136(1)(a) the Interactive Gambling Amendment (Sports Betting Reform) Bill 2015 be restored to the Notice Paper and that consideration be resumed at the stage reached in the last session of the Parliament; and

(b) in accordance with standing order 115(3), further consideration of the bill be made an order of the day for Thursday, 12 May 2016.

Question agreed to.

Consideration of Legislation

Senator XENOPHON (South Australia) (19:19): I move:

That, pursuant to standing order 136(1)(a), the following bills be restored to the Notice Paper and that consideration of each of the bills be resumed at the stage reached in the last session of the Parliament:

- Parliamentary Proceedings Broadcasting Amendment Bill 2013
- Poker Machine Harm Reduction ($1 Bets and Other Measures) Bill 2012 [2013]
- Reserve Bank Amendment (Australian Reconstruction and Development Board) Bill 2013
- Anti-Money Laundering Amendment (Gaming Machine Venues) Bill 2012 [2013]
- Interactive Gambling and Broadcasting Amendment (Online Transactions and Other Measures) Bill 2011 [2013]
- Public Service Amendment (Payments in Special Circumstances) Bill 2011 [2013]
- Foreign Acquisitions Amendment (Agricultural Land) Bill 2010 [2013]
- Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013
- Competition and Consumer Amendment (Misuse of Market Power) Bill 2014
- Australian Broadcasting Corporation Amendment (Local Content) Bill 2014
- Australian Government Boards (Gender Balanced Representation) Bill 2015
- Parliamentary Entitlements Amendment (Transparency and Accountability) Bill 2015.

Question agreed to.

MOTIONS

Steel Industry

Senator KIM CARR (Victoria) (19:19): I move:

That the Senate—
(a) notes with concern that one of Australia's major steel manufacturers, Arrium OneSteel, has recently been placed into administration, highlighting the risk to Whyalla's economy and our national steelmaking capabilities;

(b) recognises the multiple pressures currently being experienced by the Australian steel industry, including the impact of a global oversupply of steel;

(c) further notes the worrying evidence presented to the Senate inquiry into Australia's steel industry on the widespread importation and use of structural steel that does not meet Australian standards and presents a threat to public safety;

(d) notes the plan announced by the Australian Labor Party to support Australia's strategically-significant metals manufacturing industries, particularly the steel industry, by:

   (i) ensuring Australian standards are upheld in Federal Government-funded projects, and supporting local steel producers meet certification standards,

   (ii) seeking to maximise the use of locally-produced steel in Federal Government-funded projects, and put in place regular reporting of usage levels,

   (iii) halving the thresholds for projects required to have an Australian Industry Participation Plans from $500 million down to $250 million for private projects, and from $20 million to $10 million for public projects,

   (iv) doubling funding for the Australian Industry Participation (AIP) Authority and appointing an AIP Board,

   (v) ensuring Australia's anti-dumping system has the right powers and penalties in place,

   (vi) creating a national Steel Supplier Advocate, and

   (vii) establishing a tripartite Metals Manufacturing Investment Council to work closely with the Federal Government to deliver these measures;

(e) condemns the Turnbull Government's failure to take a comprehensive approach to securing the future of Australia's steel industry; and

(f) calls on the Government to take serious action to support Australia's strategically-significant manufacturing industries, particularly the steel industry.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: Labor's six-point steel plan is a thought bubble. Labor hit manufacturing with a carbon tax bill of $1.1 billion, hit the car industry with a fringe benefits tax of $1.8 billion, provided a last-minute $215 million to GM Holden and granted Alcoa $40 million in pre-closure as they forced their carbon tax on them. Under Labor, one manufacturing job was lost every 19 minutes. The Turnbull government is bringing forward large construction projects such as the Adelaide to Tarcoola rail line. To ensure a consistent and rigorous application of the Australian Industry Participation National Framework with the states and territories, the minister has placed this on the forthcoming COAG ISC agenda. The minister has also written to state and territory colleagues to secure the sustainable delivery of the Industry Capability Network services that assist projects to identify capable and competitive Australian suppliers. While Labor created an overlapping plethora of grants and entitlements, we are setting the right economic environment by reducing red tape and equipping businesses with key market information and the opportunity to expand or export competitively.

The PRESIDENT: Leave is granted for one minute.

Senator LAMBIE: Labor's motion reflects the Labor Party's top policy announced by the Leader of the Opposition, Bill Shorten, in Wollongong. The main policy points of this motion were half-heartedly welcomed by Australian steelworkers of both the AMWU and the AWU. However, it has become obvious that there is growing anger among steelworkers because both the Labor and Liberal parties refuse to support a policy to mandate the use of Australian steel for government projects. While this motion is full of comforting words and good first steps, both the AWU and the AMWU have put out press releases which essentially note that Labor has not mandated local steel in public projects. As a matter of fact, Labor's six-point plan is an absolute disgrace in terms of support for the steelworkers of Australia. This will not save jobs in this country. I am so disappointed in Bill Shorten. If this is the best you have got to secure their jobs for the future, you should be bloody ashamed of yourselves.

Question agreed to.

World Down Syndrome Day

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (19:22): At the request of Senators Fifield, Moore and Siewert, I move:

That the Senate—

(a) notes that:

(i) World Down Syndrome Day was celebrated internationally on 21 March 2016, and the theme for this year's commemoration is 'My Friends, My Community', and

(ii) people with Down syndrome must be able to enjoy full and equal rights to include the opportunity to participate fully in their communities;

(b) recognises that, sadly, the reality remains for many that prevailing negative attitudes result in low expectations, discrimination and exclusion; and

(c) joins with Down Syndrome Australia, Down Syndrome International and the Australian Down syndrome community in:

(i) supporting the 'My Friends, My Community' conversation, and notes that when children with Down syndrome are given opportunities to participate, all children benefit from this shared environment of friendship, acceptance and respect for everyone and high expectations are created, and

(ii) acknowledging these environments prepare all today's children for life as tomorrow's adults, enabling adults with Down syndrome to live, work, and participate, with confidence and individual autonomy, fully included in society alongside their friends and peers.

Question agreed to.

Steel Industry

Senator SIMMS (South Australia) (19:22): I, and also on behalf of Senators Hanson-Young and Xenophon, move:

That the Senate—

(a) acknowledges that:

(i) the Australian steelworks manufacturing industry has been an important part of the Australian economy for almost 100 years, and

(ii) this is a difficult time for South Australian employees at Arrium OneSteel and the Whyalla community, with Arrium recently going into administration; and
(b) calls on the Government to:
   (i) provide urgent mental health support to the Whyalla community as part of any plan to assist in securing the future of the steel industry in South Australia,
   (ii) invest in the development of greenhouse gas reducing steel-making technologies,
   (iii) adopt a mandatory use of Australian Standards to assess the quality compliance of all steel-related building products used in Australia,
   (iv) develop a legislated national procurement policy that ensures all government infrastructure and construction projects use at least 90 per cent locally-produced steel,
   (v) as a condition of such a procurement policy, require that Australian steel producers adopt renewable sources of energy for the steel production process,
   (vi) recognise that the Trans-Pacific Partnership and other free trade deals prevent federal and state governments from adopting such procurement policies should they be signed, and
   (vii) reject the Trans-Pacific Partnership to protect South Australian jobs.

I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator SIMMS: This motion highlights the impact of the TPP on the potential of national procurement policies to protect the steel industry. Recently, as part of the Senate inquiry into the future of steel here in Australia, I went to Whyalla and spoke to workers in that industry. It was very clear to me that people in that industry are very concerned about the impact of the Labor and Liberal party policies in this area—economic policies and free trade agreements. The TPP is selling off and selling out our national interest rather than protecting the interests of Australian workers and Australian jobs. We note the position of the Labor Party on this, the contradictory and inconsistent statements that have been made, and we call on the Labor Party and the Liberal Party to side with us in supporting Australian jobs.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: Mandating the use of Australian steel, as proposed by the Greens, the Labor Party and others, threatens our international trade obligations. This puts at risk the livelihoods of farmers, manufacturers, small and medium sized enterprises and all their employees who rely on these agreements every single day. The government is committed to fostering an environment where Australian businesses have an opportunity to bid for work on Australian projects and major government procurement contracts. The government does ensure that major project proponents and tenderers for significant government projects are given equal consideration to Australian suppliers of goods and services.


The PRESIDENT: Leave is granted for one minute.

Senator KIM CARR: Labor opposes this motion for the same reason we opposed the previous motion from Senators Lambie, Lazarus, Madigan and Xenophon. We are confident our plan offers a more effective means of lifting the amount of Australian steel in public projects. In addition to what I said in the previous motion, I invite senators to examine the record of the South Australian steel supplier advocate, Mr Ian Nightingale, from the public
hearing of the Senate committee in Whyalla on the future of the Australian steel industry. According to Mr Nightingale, the number of local steel companies winning public projects in South Australia has risen from 40 per cent to 91 per cent. This has been achieved through essentially the same measures that Labor has committed to implement at a national level—that is, ensuring that steel used in public projects meets Australian standards and ensuring a rigorous compliance regime with such a scheme.

The PRESIDENT: The question is that the motion be agreed to.

The Senate divided. [19:29]

(The President—Senator Parry)

Ayes .....................14
Noes .....................32
Majority ................18

AYES

Di Natale, R
Lambie, J
Ludlam, S
McKim, NJ
Rice, J
Simms, RA
Whish-Wilson, PS

Hanson-Young, SC
Lazarus, GP
Rhiannon, L
Siewert, R (teller)
Waters, LJ
Xenophon, N

NOES

Back, CJ
Bushby, DC (teller)
Canavan, MJ
Colbeck, R
Edwards, S
Gallagher, KR
Ketter, CR
Lindgren, JM
Ludwig, JW
McEwen, A
McLucas, J
O’Neill, DM
Parry, S
Peris, N
Ryan, SM
Smith, D

Bilyk, CL
Carr, KJ
Dastyari, S
Gallacher, AM
Heffernan, W
Leyonhjelm, DE
Lines, S
Macdonald, ID
McKenzie, B
Moore, CM
O’Sullivan, B
Paterson, J
Reynolds, L
Seselja, Z
Urquhart, AE

Question negatived.

DOCUMENTS

Asylum Seekers
Order for the Production of Documents

Senator HANSON-YOUNG (South Australia) (19:31): I move:
That there be laid on the table by the Minister representing the Prime Minister, no later than 9.30 am on Thursday, 21 April 2016:

(a) any, and all, documents in the Australian Government's possession, including, and in relation to:
(i) any contracts between Broadspurctum (formerly known as Transfield Services) and its subcontractor Wilson Security in relation to operations on Nauru and Manus Island, Papua New Guinea,
(ii) any sub-contracts engaged in by Wilson Security and other entities in relation to operations on Nauru and Manus Island, Papua New Guinea, and
(iii) any contracts between the Australian Government and Wilson Security in relation to the Government and its agencies;
(b) any, and all, documents in the Australian Government's possession pertaining to the procurement and due diligence process undertaken prior to the awarding of any contracts between:
(i) the Australian Government and Broadspurctum, and its subcontractor Wilson Security, in relation to operations on Nauru and Manus Island, Papua New Guinea, including Wilson Security's directorship and or the Kwok family, and
(ii) the Australian Government and Wilson Security in relation to the Government and its agencies, including Wilson Security's directorship and or the Kwok family; and
(c) any, and all, documents in relation to the Department of Immigration and Border Protection's internal investigation, and or review, into Wilson Security's role in relation to Nauru and Manus Island as reported in the Australian on 7 April 2016.

The PRESIDENT: The question is that the motion be agreed to.
The Senate divided. [19:36]

(The President—Senator Parry)

Ayes ......................34
Noes ......................28
Majority ..................6

AYES
Bilyk, CL (teller) Brown, CL
Cameron, DN Carr, KJ
Dastyari, S Di Natale, R
Gallacher, AM Gallagher, KR
Hanson-Young, SC Ketter, CR
Lambie, J Lazarus, GP
Lines, S Ludlam, S
Ludwig, JW Madigan, JJ
McAllister, J McEwen, A
McKim, NJ Mclucas, J
Moore, CM Muir, R
O'Neill, DM Peris, N
Polley, H Rhiannon, L
Rice, J Siewert, R
Simms, RA Singh, LM
Urquhart, AE Waters, LJ
Whish-Wilson, PS Xenophon, N

NOES
Back, CJ Birmingham, SJ
Question agreed to.

*Senator Bernardi did not vote, to compensate for the vacancy caused by the resignation of Senator Bullock*

**MOTIONS**

**Climate Change**

*Senator WATERS* (Queensland—Co-Deputy Leader of the Australian Greens) (19:38): I move:

That the Senate—

(a) notes:

(i) the unprecedented coral bleaching on the Great Barrier Reef which the Great Barrier Reef Marine Park Authority describes as the worst ever mass bleaching event,

(ii) the devastating bushfires affecting areas of Tasmania’s Wilderness World Heritage Area which have not been burned in centuries and which may never recover,

(iii) the fact that 2014 and 2015 were both the hottest year on record, and that the United Kingdom Meteorological Office predicts that 2016 will also be the hottest year on record,

(iv) that ordinary Australians are leading the way in calling for action on global warming, in particular, the students at the University of Queensland who have occupied the Chancellery Building calling on the University to divest from fossil fuels, and

(v) that fossil fuel companies have made $3.7 million in political donations to the Coalition and the Australian Labor Party since the 2013 election; and

(b) calls on all political parties to:

(i) support a legislative ban on fossil fuel donations, and

(ii) refuse to accept any more fossil fuel donations.
The question is that notice of motion No. 1147 by Senator Waters be agreed to.

The Senate divided. [19:39]

(The President—Senator Parry)

Ayes ......................11
Noes ......................39
Majority ..................28

AYES

Di Natale, R
Lazarus, GP
McKim, NJ
Rice, J
Simms, RA
Whish-Wilson, PS

Hanson-Young, SC
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Waters, LJ

NOES

Back, CJ
Bushby, DC
Canavan, MJ
Colbeck, R
Fawcett, DJ
Gallacher, AM
Heffernan, W
Leyonhjelm, DE
Lines, S
Macdonald, ID
McAllister, J
McGrath, J
McLaras, J
Muir, R
O’Sullivan, B
Paterson, J
Polley, H
Ruston, A
Singh, LM
Urquhart, AE

Bilyk, CL (teller)
Cameron, DN
Carr, KJ
Dastyari, S
Fierravanti-Wells, C
Gallagher, KR
Ketter, CR
Lindgren, JM
Ludwig, JW
Madigan, JJ
McEwen, A
McKenzie, B
Moore, CM
O’Neill, DM
Parry, S
Peris, N
Reynolds, L
Ryan, SM
Smith, D

Question negatived.

Financial Services

Senator WHISH-WILSON (Tasmania) (19:42): I move:

That the Senate—

(a) notes:

(i) the recommendations of the 2014 Economics References Committee inquiry into the performance of the Australian Securities and Investments Commission,

(ii) the misconduct that has been uncovered in the financial planning arms of the Commonwealth Bank of Australia, National Australia Bank, ANZ Bank and Macquarie Bank,
(iii) that IOOF are being investigated for insider trading and front-running,
(iv) That the insurance arm of the Commonwealth Bank is alleged to have unfairly and fraudulently denied life insurance claims,
(v) that court proceedings have been initiated against ANZ Bank and Westpac for manipulation of the bank-bill swap rate, and
(vi) the lending practices of ANZ Bank and Bendigo Bank that contributed to the collapse of forestry managed investment schemes;

(b) calls on the Government to establish a Royal Commission into misconduct in the banking financial services sector; and

(c) notes That the Australian Greens moved a motion for the Senate to support a Royal Commission on 24 June 2015.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: I thank the chamber. The government opposes this motion for a royal commission. The government recognises that Australia's banks and banking executives have not always lived up to the standards expected by the community, but the government does not support appointing a royal commission into banking and financial services. The government continues to support our regulators in ensuring the integrity of our finance and banking system, ensuring consumer protections are watertight and ensuring that malpractice is punished. A royal commissioner has no power to enforce the law, whether through taking prosecution action against a person or body, making findings of a breach of law, or imposing fines or penalties. We need to focus on implementing the reforms needed to strengthen our financial system. We have already started implementing measures to improve consumer outcomes, including improving the professional standards of financial advisers.

The PRESIDENT: The question is that notice of motion 1148 be agreed to.

The Senate divided. [19:47]

(The President—Senator Parry)

Ayes ..................... 34
Noes ..................... 27
Majority ................. 7

AYES

Bilyk, CL (teller)  Brown, CL
Cameron, DN  Carr, KJ
Dastyari, S  Di Natale, R
Gallacher, AM  Gallagher, KR
Hanson-Young, SC  Ketter, CR
Lambie, J  Lazarus, GP
Lines, S  Ludlam, S
Ludwig, JW  Madigan, JJ
McAllister, J  McEwen, A
McKim, NJ  McLucas, J
Moore, CM  Muir, R
O’Neill, DM  Peris, N
Question agreed to.

Senator Bernardi did not vote, to compensate for the vacancy caused by the resignation of Senator Bullock.

NOTICES

Withdrawal


BUSINESS

Consideration of Legislation

Senator LAMBIE (Tasmania) (19:49): I move:

That, pursuant to standing order 136(1)(a), the Veterans' Entitlements Amendment (Expanded Gold Card Access) Bill 2015 be restored to the Notice Paper and that consideration of the bill be resumed at the stage reached in the last session of the Parliament.

Mr President, I request leave to make a one-minute statement.

The PRESIDENT: Leave is granted for one minute.
Senator LAMBIE: Our veteran suicide rate is over 250 and growing. That is what we know of. But we would not know because we do not have a suicide register. Two weeks ago, we had three veterans suicide. Last week, we had another one. One of the reasons our veterans are killing themselves is that they are fighting a dysfunctional Department of Veterans' Affairs to access the best possible health care Australia has to offer. This motion will restore to the Notice Paper my private member's bill which automatically grants a health gold card to all of our veterans who have served in war or warlike conditions. The passage of the bill through this parliament will help save the many veterans' lives.

Question agreed to.

The PRESIDENT: Now that we have concluded business at item 12 on the Red, as agreed to earlier, is leave granted to deal with committee memberships and messages?

Leave granted.

COMMITTEES

Membership

The PRESIDENT (19:51): I have received letters requesting changes in the membership of committees.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (19:51): I move:

That senators be discharged from and appointed to committees as follows:

Finance and Public Administration References Committee—

Appointed—Substitute members: Senator McKim to replace Senator Rice for the committee's inquiry into the outcomes of the 42nd meeting of the Council of Australian Governments held on 1 April 2016

Senator Rhiannon to replace Senator Rice for the committee's inquiry into the Commonwealth legislative provisions relating to oversight of associated entities of political parties

Participating member: Senator Rice

Health—Select Committee—

Appointed—Substitute members: Senator Ketter to replace Senator McAllister on 27 April 2016

Senator Dastyari to replace Senator McAllister on 29 April 2016

Senator Cameron to replace Senator Moore on 29 April 2016

Participating members: Senators McAllister and Moore.

Question agreed to.

Legal and Constitutional Affairs References Committee

Membership

Senator McEWEN (South Australia—Opposition Whip in the Senate) (19:51): by leave—I move:

That Senator Peris replace Senator Ludwig on the Legal and Constitutional Affairs References Committee on 20 April 2016 for the committee's inquiry into a national registration system for paramedics.

Question agreed to.
Northern Australia Infrastructure Facility Bill 2016
Northern Australia Infrastructure Facility (Consequential Amendments) Bill 2016
First Reading

Bills received from the House of Representatives.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (19:52): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (19:52): I table a replacement explanatory memorandum relating to the Northern Australia Infrastructure Facility Bill 2016 and move:
That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

NORTHERN AUSTRALIA INFRASTRUCTURE FACILITY BILL 2016

The Australian Government recognises the enormous economic potential of northern Australia, and is committed to its development.

Today I introduce a bill to establish the Northern Australia Infrastructure Facility. The Facility will address gaps in the infrastructure finance market for northern Australia and is an integral part of the Government's plan for northern Australia.

The White Paper on Developing Northern Australia, released in June 2015, identified the vital role that infrastructure plays in unlocking economic opportunities globally, nationally, and in northern Australia. The White Paper included almost $1.2 billion in policies to support the construction of new roads and water infrastructure in the north.

Northern Australia has just 5.6 per cent of Australia's population, but contributes over 11 per cent of Australia's GDP, and covers over 40 per cent of our land mass with significant agricultural, energy and resource assets. Its proximity to Asia, also provides an opportunity to service the burgeoning middle-class in Asia. According to Ernst and Young the Chinese middle class is expected to reach one billion by 2030 with India's middle class reaching 475 million people by 2030. Northern Australia has great potential for economic and population growth, but it needs the right backbone economic infrastructure to drive that growth.

The Government has already committed nearly $5 billion, of its $50 billion nationwide investment in transport infrastructure, to northern Australia.

These investments include over $3 billion for northern sections of the Bruce Highway, and over $470 million to be distributed across the Cape York Region Package, North West Coastal Highway, and Northern Territory Roads Productivity Package.

Despite this investment by the Commonwealth Government, infrastructure in northern Australia continues to face particular cost and service challenges, including accessing private sector financing.
At a national level, financing of debt markets has become more dependent on bank lending, rather than longer term bonds. Infrastructure Australia has estimated that since the 2008 Global Financial Crisis, the capacity of the Australian financial market to fund infrastructure has halved due to the withdrawal of international finance providers. Also, constraints in the finance sector have resulted in longer tenor loans in excess of seven years becoming increasingly difficult to access for infrastructure projects. For example, the average duration for infrastructure debt financing has almost halved from around 11 years in 2007 to around 6 years in 2015.

These developments are being acutely felt in northern Australia.

Infrastructure investment in northern Australia is affected by a low population density and issues of, remoteness, extreme heat and high levels rainfall during certain times of year. The uncertainty for infrastructure investment created by these factors can result in commercially viable projects in northern Australia being unable to attract the limited investment funds available.

Infrastructure Australia released the Northern Australia Audit in January 2015. This report confirmed that infrastructure market failures were affecting northern Australia in particular. The identified failures included: limited economic scale, resulting in high costs, poor quality and an absence of competition; a ‘first mover disadvantage’, where the first project bears all the capital costs of infrastructure that will reduce for other projects; coordination challenges, which prevents cooperation in building more extensive infrastructure; and low socio-economic circumstances, which result in a lower capacity to pay for infrastructure services.

Through the Facility, the Government, working with the States and Territories, will support the private sector to construct transformative economic infrastructure for northern Australia. This infrastructure will provide a basis for the longer term expansion of the economy and population in northern Australia.

The Facility will provide an innovative approach to the funding of infrastructure projects, by offering up to $5 billion in financial assistance to encourage and complement private sector investment. This encouragement of the private sector will ensure that economic infrastructure that otherwise would not be built, or would not be built for some time, will be delivered.

Through this bill, the Commonwealth will partner with the private sector and the governments of the Northern Territory, Queensland and Western Australia, to provide financial assistance on concessional terms for the construction of major projects.

These major projects may include airports, ports, roads, rail, energy, water, and communications infrastructure. These are the types of economic infrastructure needed to further open the north for business, and to deliver wider public benefits for the rest of Australia.

Extensive consultation has occurred across Commonwealth agencies, relevant State and Territory governments, infrastructure owners in northern Australia, financiers and project proponents in developing this bill. Between me and my department, we have met with well over 200 stakeholders.

Through the consultation process, forty projects with an indicative capital value of $21 billion have been identified as potential NAIF projects. Of these forty projects, around half have been identified in Infrastructure Australia’s Northern Australia Audit.

To make investment decisions, the bill establishes an independent Board that will be comprised of experts from a range of relevant fields, such as banking and infrastructure.

The Board will ensure that assistance is targeted in an effective manner and the Facility operates in partnership with commercial lenders, not in competition. It will also ensure that the Facility only invests in projects that are able to return funds to the Commonwealth.

The expert, transparent and arm’s length design of the Board established by this bill will cultivate credibility in financial markets, while ensuring that the Government invests in projects which are viable, provide public benefits and unlock the potential of the North.
The Board will undertake its investment function according to an investment mandate. The bill specifies the matters that will be covered by the investment mandate, including eligibility criteria and loan characteristics. A draft of the mandate will be released today for public consultation. We have incorporated feedback from a previous consultation process into the new draft, including a requirement that applicants provide an Indigenous engagement strategy. We are seeking feedback on the draft investment mandate until 29 March.

This bill enables the Facility to assist projects by providing financial assistance that is tailored to project needs, with any concessions calibrated to the particular circumstances of a project. An example of such assistance may be the provision of ‘patient’ capital for a new infrastructure asset that is facing a long ramp-up phase that precludes available bank financing.

The Facility may also be used to provide additional debt finance on fully commercial terms, where a project is able to attract some, but not sufficient, debt finance.

Providing financial assistance rather than one-off grants will reduce the impact on the Budget and impose more commercial terms on recipients.

Through partnering with the private sector, the investment decisions of the Board will leverage much more than the $5 billion provided through the Facility. To ensure the best return for taxpayer funds, the expert Board will be responsible for selecting projects. To be clear, as the responsible minister I will have no role in directing the Board to make investments in particular projects.

However, as the NAIF is funded through public money, as the responsible minister I will retain a role to ensure that projects which are contrary to the national interest are not funded. To preserve the credibility of the Facility, this role will be subject to strict transparency requirements and the reasons for my decisions will need to be tabled in Parliament.

To conclude, the objectives of the Facility reflect the Government’s priorities for the development of northern Australia and the importance of ensuring public funds are invested responsibly and for the benefit of the wider economy.

The establishment of the Facility is a significant step forward for the development of transformative economic infrastructure in northern Australia and for the way infrastructure is financed in this country.

The right infrastructure is vital to facilitating investment, increasing accessibility to markets, especially for remote areas, and helping to attract and retain workers. With careful planning around timing and location, it is a fundamental driver of productivity and growth.

The Australian Government is committed to laying down the foundations for strong economic and population growth through the development of northern Australia, while minimising the burden on taxpayers.

The Government would like to recognise the efforts of the State and Territory governments for their role in progressing the development of the Facility. We would like to thank the Hon. Annastacia Palaszczuk, MP, Premier of Queensland, the Hon. Colin Barnett, MLA, Premier of Western Australia and the Hon. Adam Giles MLA Chief Minister of the Northern Territory for their cooperation. We will continue to work with the States and Territory to ensure that the Facility delivers for northern Australia.

The Government would also like to recognise the bipartisan approach taken by the opposition in supporting this important initiative. There are significant opportunities offered by northern Australia and supporting this bill will create a key catalyst for infrastructure investment in northern Australia, which will increase the productive capacity of the north.

Through this bill, the Facility will work with the private sector and the governments of the Northern Territory, Queensland and Western Australia to create the right conditions for innovation and investment and help our communities and businesses in northern Australia to prosper.

I commend the bill to the House.
NORTHERN AUSTRALIA INFRASTRUCTURE FACILITY (CONSEQUENTIAL AMENDMENT) BILL

The Consequential Amendment Bill amends the Export Finance and Insurance Corporation Act 1991 to enable Efic to deliver administration services on behalf of the Facility, and the States and Territory. Efic will be able to charge fees for these services to recover costs. Examples of the types of services which may be delivered include loan origination; due diligence, credit and portfolio management; and loan administration. Under this model, the Board of the Facility will retain responsibility for all investment decisions and risk.

This amendment does not mean that Efic will have to be used as a service provider for the NAIF, but amending the Efic Act to allow Efic to undertake these services will ensure this is an option that is available to the NAIF. I am keen to utilise existing commonwealth capabilities, achieve cost-effectiveness and provide for flexibility in the delivery of this important policy.

I commend this bill to the House.

Debate adjourned.

Commonwealth Electoral Amendment Bill 2016

Returned from the House of Representatives

Message received from the House of Representatives agreeing to the amendments made by the Senate to the Commonwealth Electoral Amendment Bill 2016.

Road Safety Remuneration Repeal Bill 2016

Assent

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

BUSINESS

Days and Hours of Meeting


Leave granted.

Senator MOORE: Mr President, earlier this afternoon, Senator Wong and other non-government party leaders and independent senators signed a letter to you under standing order 55(2), requesting that the Senate meet on Wednesday, 20 April 2016 in order to complete certain items of business that were being frustrated by the government. I am pleased to inform the Senate that, as those items of business have now been completed, Senator Wong will withdraw her letter and the Senate will not be required to sit tomorrow. The opposition wishes to acknowledge and thank other non-government independent senators for their defence of the rights and powers of senators and of the Senate. Through their actions, the Senate will be able to exercise its scrutiny functions and continue to hold the executive to account.

ADJOURNMENT

The PRESIDENT (19:54): I propose the question:

That the Senate do now adjourn.

United Kingdom

Senator PATERSON (Victoria) (19:54): I rise tonight to speak about the critical choice facing the people of Britain on 23 June. They will decide whether to stay in or leave the European Union. From where I sit, the choice is clear: Britain would be more prosperous, free
and secure outside the European Union. The European Union project may have begun with good intentions, but the reality is that the EU today has strayed very far from those intentions. It has become bloated, undemocratic and hostile to the freedoms that made Britain great. The cost to the British people and their economy is real. Every week, Britain sends 350 million pounds to Brussels. The cost to Britain's economy of just the 100 top EU rules is more than 33 billion pounds each year.

The UK have lost control of their borders and their laws. They have no power to control the intake of migrants from within the EU. More than half of the laws and regulations passed each year which govern the lives of UK citizens originate not in their own parliament but in a foreign capital, enacted by people who they had no say in electing. They are subject to and bound to failed and immoral policies, like the Common Agricultural Policy, which drives up the cost of food for Europeans and erects barriers to people in the developing world who are only trying to grow food, develop their lives and sell to the Western world.

The main reason for me speaking on this issue tonight is to take the opportunity to address the most common—but, in my view, very misguided—argument for Britain staying in the EU. There are some who argue that the EU would be worse off without Britain's much-needed, sensible and responsible voice in major policy debates. They argue that Australia and the world indirectly benefit from Britain preventing the EU from making worse decisions. There are four main reasons why this is a very bad argument. No. 1 is that if that argument ever had merit, it has long since ceased to be the case. Despite Britain's urgings, the EU has lurched from crisis to crisis and continues to show no signs of willingness to enact sensible reform. The recent failed renegotiation of Britain's own membership of the EU by the Cameron government is further evidence of this.

No. 2 is that we are asking our friends and allies in the United Kingdom to bear a very, very high price for an uncertain benefit for us. To ask them to shackle themselves to the European Union—which lurches from crisis to crisis, which is clearly on the way down and which is hurtling towards possible disintegration—is too great a request to ask of our friends.

No. 3 is that it ignores the very real cost to our relationship with Britain caused by its membership of the EU. For example, a free trade agreement between Australia and the United Kingdom cannot be negotiated because the United Kingdom has no freedom to determine its own trade policies. No. 4 is that an agreement for the free movement of people between the Commonwealth countries, such as Britain, New Zealand, Australia and Canada, also cannot be negotiated because Britain has no freedom to determine those policies.

The best thing for Europe would be for the United Kingdom to leave the EU and to demonstrate how successful, prosperous, free and secure they could be outside the European Union. That would send the best signal to the EU of the kinds of reforms that are necessary to enjoy prosperity and freedom in the 21st century. The worst thing for the EU and the UK would be for them to decide to stay within the EU, suffer the consequences of it and lose the opportunity to demonstrate to the people of Europe that there is an alternative pathway and that there are better policies.

I urge the people of the United Kingdom to consider very carefully their vote on 23 June. It is up to you to decide whether you remain or whether you leave, but rest assured that your friends around the world—including in Australia—would welcome you back into the
international community outside the European Union and that you would have a strong, prosperous and stable relationship with us if you chose to do so.

Tasmania: Federal Election

Senator SINGH (Tasmania) (19:59): As we head towards a crucial election for Australia's future and in Australia's history, I rise this evening to explain Labor's vision, which is my vision, for my home state of Tasmania. I was inspired to enter politics by values of fairness, respect for diversity and equality of opportunity, and those are still my guiding principles. I have always striven for a Tasmanian society that is fair and inclusive. I have worked to help inspire a friendly Tasmanian society where everyone has the opportunity to reach their full potential. I have spent almost all my life in a community which cares for each other, our pristine environment and our quality of life.

I want to help foster that sense of community, one where everyone can get a great education, get access to quality health care, get a decent job and live well in our cherished environment. That is why I have fought hard against this Turnbull Liberal government. And I will continue to fight because Labor has a better way, a fairer way, a way that supports every individual, not just those that can afford to pay. I believe also that Tasmania can become a global powerhouse of renewable energy. But it requires the right leadership, not a government of climate sceptics that has attacked our renewable industries and signed Australia up to some of the weakest emissions reduction targets in the developed world.

I have a vision for Tasmania where no-one is left behind, no matter what their background, gender or circumstance, and I see that vision being achieved in large part through education and creativity. I have a passion for education and the arts. They are the key by which lives can be transformed, empowered and made so much the richer. My vision is Labor's vision, and that is why the Shorten Labor government that I will fight for, which will provide unprecedented investment in education, is so important—teaching coding in every school, supporting teachers with professional development in science, engineering, maths and technology, STEM, supporting students with special needs and, especially and absolutely, supporting the funding of Gonski.

But Malcolm Turnbull's Liberal government, like Tony Abbott's before it, is ditching Labor's Gonski reforms and ripping $30 billion from Australian schools. And that's just the start of their vision—or, rather, lack of vision—for Australia. From its plans to privatise Medicare, its billions of dollars of cuts to our hospitals and schools, its $100,000 university degrees and its desire to rip penalty rates away from those who work the hardest and need those rewards the most, to its attack on science, on the CSIRO's climate change scientists who provide the nation with such vital information, its crushing of the Australian renewable energy industry and its refusal to take responsibility for Australia's environment and ensure Australia plays its role in the global community's efforts to stave off the coming climate change catastrophe, all of that and much more is evidence enough of this government's plan for Australia and Tasmania. It is a dangerous and cruel plan of unfairness, arrogance and greed. The Turnbull government is quite happy for multinationals to pay no tax whilst ordinary tax-paying Australians suffer from cuts to schools, hospitals and basic services by this Turnbull Liberal government.

Labor will stand up for all Australians, and the choices could not be any clearer between Labor and Liberal. Labor has positive policies that put people first. The Liberal Party seems
very focused and, indeed, intent upon defending vested interests and the big banks. Labor is ready for this election because we know exactly what we stand for: decent jobs, well-funded education, quality health care, the protection of Medicare, renewable energy which is encouraged to take up the burden of climate change and a fair taxation system. In the coming weeks I will be telling Tasmanians why a vote for Labor is a vote for a better future. A vote for Labor is a vote that puts people first.

Queen Elizabeth II: 90th Birthday

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (20:04): I rise this evening to highlight an important occasion which will occur two days from now on Thursday, 21 April 2016. On that day, Her Majesty Queen Elizabeth II, Queen of Australia, will mark the occasion of her 90th birthday. As we saw last year when Her Majesty became the longest serving monarch in the history of the throne, she is not one to glorify her personal achievements, substantial as those are. But I think that, whatever our political stripe in this chamber and whatever the political views of Australians outside this place, we would all agree that the dignified way Her Majesty has fulfilled her duties over many decades has made a considerable contribution to the democratic strength of this nation and to our remarkable constitutional stability over that period.

That respect is one that crosses boundaries of all varieties: political, generational and racial alike. As we consistently see, opinion polls show very strong support for the institution of the Crown among our younger Australians. Some seek to ascribe that to the popularity of the younger members of the Royal Family, and I am sure that plays its part. But I also think it rests in very large part on the enormously high esteem in which Her Majesty is held by younger Australians. In a rapidly changing world, she is a symbol of stability, and I think stability is something people increasingly value.

We have witnessed some parliamentary history this week, of course, with the opening of this, the second session of the 44th Parliament, by the Queen's representative, following the parliament being prorogued. There has been some comment about the rarity of that event, but I did think it worth noting that the two most recent occasions on which that has occurred prior to this week, in 1974 and 1977, were both undertaken to permit Her Majesty herself to open the second session of each of those parliaments here in Australia. So, in a week where Her Majesty turns 90, it is worth noting that link and the centrality of the Crown in our parliamentary traditions.

On her 21st birthday, on 21 April 1947, then Princess Elizabeth made a radio broadcast from Cape Town, South Africa, and uttered the words that still serve as her personal motto today:

I declare before you all that my whole life, whether it be long or short, shall be devoted to your service and the service of our great Imperial family to which we all belong.

In the week that Her Majesty observes her 90th birthday, all Australians and citizens of the Commonwealth alike should give thanks that her life has proved to be long, and thus she has been able to provide stability to a world that has undergone such extraordinary change during her reign. To put it in an Australian context for a moment, 29 individuals have served in the office of Prime Minister of our country since Federation. Fourteen of those have served in the period Her Majesty has been on the throne—about half the total in the history of this nation:
Menzies, Holt, McEwen, Gorton, McMahon, Whitlam, Fraser, Hawke, Keating, Howard, Rudd, Gillard, Abbott and now Mr Turnbull.

If you think about the Australia Robert Menzies presided over and the Australia of today, they are very different places, and of course governments today deal with very different issues on a day-to-day basis. Yet there are some constants. When Her Majesty first visited these shores in 1954, she described the Australia she found as being one where 'growth and progress are manifest, a country of freedom, eloquent of that true democracy which dignifies and expresses the individual human being'. Whatever the political travails our nation has experienced since that time, I think all Australians would concur that freedom, democracy and valuing the dignity of every individual Australian are values with which contemporary Australia readily identifies. As I have just shown, they are values the Queen has articulated, promoted and defended throughout her reign.

So, as Her Majesty observes her 90th birthday on Thursday, I am sure that all senators and all Australians will join me in wishing her well and thanking her for remaining true to the promise made on her 21st birthday, dedicating her whole life to our service. Long may she reign.

Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Program

Senator LINES (Western Australia) (20:09): Today, Labor senators have called on the Turnbull government to act on the increasing prevalence of Aboriginal and Torres Strait Islander suicide in Western Australia's Kimberley region. Our motion talked about the findings of one of the reports of the Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Program, and that was about a roundtable conducted last year in the Kimberley. Obviously, a lot of Aboriginal and Torres Strait Islander leaders were at that roundtable. The participants who attended the roundtable, which was held in Broome, urged the government to prioritise addressing the social determinants that influence Aboriginal and Torres Strait Islander health and wellbeing.

For some background, the Kimberley region in Western Australia has the highest suicide rate of any region in the world. That is a very alarming and deeply disturbing statistic to have in Australia; indeed, in Western Australia. Mr Wes Morris, who is a great campaigner up there and runs successful programs, said:

Whilst we await a national response, the Government must recognize that there is a chronic crisis here in the Kimberley ...

Mr Morris is the coordinator of the Kimberley Aboriginal Law and Culture Centre. The centre wrote to the WA Coroner and many others to try to get action on the alarming suicide rate in the Kimberley. I have heard Professor Pat Dodson, who will hopefully be a senator joining us here shortly, and Mr Mick Gooda talk time and time again about the crises of incarceration and suicide. There is clearly a crisis in the Kimberley. It needs to be addressed, it needs bipartisan support and it needs to put the solutions in the hands of local people. There are solutions and good programs. We really have to focus on having the solutions, particularly where it involves Aboriginal and Torres Strait Islander deaths. Those solutions must be led by local Aboriginal and, indeed, Torres Strait Islander leaders, not by health professionals or anyone else; they need local solutions. We really do need to act now. The Kimberley roundtable called for exactly that. It called for solutions facilitated by a predominately local Aboriginal workforce. This is essential for the region. Mr Morris urged that the report not sit
on a shelf. We are waiting on a bigger report from UWA which is investigating suicides, but we do not need to wait any longer in the Kimberley.

Just a short time ago, there was the shocking suicide of a young 10-year-old girl. Unfortunately, I have to say that, if she had been a non-Aboriginal person, there would be action now. That is the truth. Last year we had the suicide of a young boy in Geraldton and we still do not recognise that there is a crisis that needs urgent attention. I urge us in this parliament to look at how we can act in a bipartisan way, put those local solutions into the communities where they belong and support the solutions already in place.

The roundtable focused on the impact of social determinants. It looked at the need for empowerment of families and communities, mental health issues, trauma, lack of services and responses and came up with the absolute need for local solutions and leadership. I do not think we can ignore the words of Professor Pat Dodson, Mick Gooda and other Aboriginal and Torres Strait Islander people who are telling us that there is a crisis. When we have a 10-year-old girl suicide in the Kimberley, we have to acknowledge that there is a crisis and it is time for us to act right now. We do not need to wait any longer. I certainly urge us to adopt whatever bipartisan approach we can and be united on something that deserves our highest priority. The longer we wait the bigger the problems become. We need solutions now. We do not need to wait for further reports.

Illicit Drugs

Senator McKENZIE (Victoria) (20:14): Proportionally, Australia uses more methamphetamine that almost every country in the world. Today, evidence suggests that there are well over 200,000 ice users in Australia. It is an issue that I have raised here before, and it is regional Australia which is disproportionately affected. In the Goulburn Valley and the electorate of the Murray in the great state of Victoria, the abuse of drugs, and ice in particular, has been a significant problem. Unfortunately, Shepparton, the great regional capital, diverse and productive as it is, is known as the ice capital—not the vision we want for that area. Worsening drug, crime and violence statistics in regional Victoria do not adequately reflect the wider pain and anxiety felt by communities, day in and day out. The issue is raw and the drug is destructive, and it creates a great deal of fear and dysfunction in families.

The Nationals have taken the lead in both state and federal parliaments around this issue. In this area, I commend the work of Minister Nash, Tim McCurdy, member for Ovens Valley in the Victorian state parliament, and Damian Drum, the Victorian upper house member for Northern Victoria.

The ice task force travelled across Australia last year and, sadly, everyone has an anecdote about how ice is impacting on their cities, towns and communities, causing family violence and unemployment, putting ambulance officers, hospital workers and police at risk, and making our emergency wards dangerous places. I could go on. Once average conventional families are being torn apart by a family member's addiction. It is important that we continue the law enforcement efforts, but we need to continue our efforts in reducing demand and helping families, communities and frontline services to deal with this. There are often those in local areas who have local solutions, but they cannot do it alone. They require dedicated advocates in our parliament and our community.
Damian Drum, the Nationals candidate for the electorate of Murray, is one such advocate. He has brought this issue to my attention through his deep concern about the level of ice use in the Goulburn Valley. Tonight, he will be attending, along with so many other community members, a community meeting and ice forum at St Mary's Parish to discuss the social issue that has been devastating that community. Guest speakers include mental health worker Jenny O'Connell, Detective Senior Sergeant Paul Maher and Belinda Aitken, who appeared on A Current Affair's 'Ice Parents' episode. Damian has been highly concerned about the ice scourge affecting his birthplace and, indeed, country Victoria as a whole. Alongside his previous work as the coach of the Fremantle Dockers and a great AFL player for the Cats, he has been a long-time supporter of ice rehabilitation facilities throughout northern Victoria. In his role as the member for Northern Victoria, he has been inspecting and advocating within the state parliamentary system for funds to extend rehabilitation service provision. His strong commitment, I am sure, will continue if he is elected to the other place to serve the people of Murray. Also, when he was Victorian Minister for Sport, he announced $300,000 for an inquiry into sport which looked at the use of drugs in sport. The local Goulburn Valley league has recognised that drugs within our football leagues in country Victoria are an issue, and Damian will take a leadership role.

The Nationals have taken a leadership role in addressing this issue. Damian Drum is a man of conviction that drug and alcohol abuse in our regions threatens the very fabric of our communities. I am sure that he will stand shoulder to shoulder with the Goulburn Valley community, to advocate for them, to fight for them and to hold state and federal governments to account in dealing with the scourge of ice in the communities around the Goulburn Valley, whilst ensuring that health remains at the top of the agenda.

Lazarus, Senator Glenn
Queensland: Agriculture

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (20:18): Tonight, I rise to speak on something that I had not witnessed in this chamber before. Early this evening, I witnessed a senator support a motion in this place that had a direct capacity to damage the interests of his own state. I am referring to the support that Senator Glenn Lazarus gave here this evening to a motion by the Greens. That motion talked about rejecting the Trans-Pacific Partnership to protect South Australian jobs. Let me repeat that: a Queensland senator supported a motion to protect South Australian jobs rather than to protect the jobs in the beef industry in my home state. For you to come out and support a motion to protect South Australian jobs rather than to protect the jobs in the beef industry in my home state is a fact that should be well circulated around Queensland. Second is sugar. It is a big day for Senator Lazarus on sugar. Senator Lazarus came out today in the media to support a sugar tax that will impact on the sugar industry, and predominantly that industry is in our home state of Queensland—his home state of Queensland. This will have a massive impact. Both Senator Lazarus and I have had a bit of
sugar over the years, and there is no need to get cranky about it now as we both reach our 60th birthdays, but to affect the 4½ thousand sugar families in the 38 small communities in my home state who rely upon income from sugar, by rejecting the TPP in favour of jobs in South Australia, was a bizarre step.

I suspect the only defence that Senator Lazarus is going to have—and we will wait till tomorrow for him to respond in the media, because I intend to make sure every media outlet in my state has this material—is that he did not read the motion. That is the only defence he could have. He has some form on that, of course, with the trucking issue. I have to say, to his credit, he was able to backflip on that, and he should backflip on this. I will stand up and defend our agricultural industries right across my home state, and I do not care whether it is Senator Lazarus or another Lazarus, who comes from biblical times. He is opposed to rice. We have a burgeoning rice industry in North Queensland, which, again, underpins the difficulties that we are seeing in the sugar industry.

Dairy—for crikey's sake! Dairy has been in the doldrums in my home state for so long—why would Senator Lazarus support a motion to save jobs in South Australia only to lose those same jobs in my home state of Queensland in the dairy industry?

As to cereals: in the next couple of days I will educate all you cereal farmers out there on what Senator Lazarus has done here. He has taken your interests and set them aside for the interests of jobs in South Australia. That will impact on hundreds if not thousands of jobs for those who produce cereals and grains in my home state.

On seafood: we have been struggling to get an aquaculture industry going in our home state. The Greens have just devoted their entire lives to eliminating the wild harvest of fish and products of the sea. And Senator Lazarus has just joined them. So there will not be a fisherman from Coolangatta to Cairns who will not be interested to know that Senator Lazarus sat here with the Greens—the natural enemies of everything to do with agriculture—and voted with them, as he has done so many times, to make sure that this impacted on jobs in our home state.

He has done a dirty deal with the Greens. We are going to see them preference him in the Queensland election. That is the only reason Glenn Lazarus has done this today. I intend to devote the entire election to making sure that, line by line, every farmer in Queensland knows exactly his voting history with the Greens in anti-agricultural motions.

**Financial Services**

Senator WHISH-WILSON (Tasmania) (20:23): I am very pleased to say tonight that the Greens motion calling for a royal commission into financial misconduct was passed by the Senate, this proud chamber, this evening. The Greens moved nearly a year ago to get support for a royal commission; unfortunately, that was voted down a year ago. But tonight we had the support of the Labor Party and the crossbench, and the Australian Senate has sent a very important message to the Turnbull government: that we support scrutiny of financial misconduct in this country. The Prime Minister is saying he will now give resources to the Australian Securities and Investments Commission, he will give it new powers and he will give it new funding.
This was something that the Senate economics committee recommended nearly two years ago. That same Senate economics committee also took the unprecedented step of recommending a royal commission. And that was just into the scandal that we uncovered in the Commonwealth Bank.

Since that Senate recommendation, we have had a series of scandals, right across the financial services industry, implicating all the big banks. We have sat through inquiry after inquiry, hearing from victims the heartbreaking stories of ordinary Aussie people who have been ripped off by financial planners, by the banks and by their insurance companies. None of them have been compensated, and virtually no-one has been prosecuted for these crimes. If I were to break into someone's car repeatedly or to steal from their home or break into their bank account, I would get thrown in jail. So how is it that so many people in the financial services industry over the years have got away with ripping off the savings of hardworking Australians?

I sat through the Senate Economics References Committee's inquiry into forestry managed investment schemes, which wrapped up only recently. The Greens instigated it. The final report was called Bitter harvest. As to those forestry managed investment schemes, we could have a royal commission just on the debacle and the catastrophe that was the loss of $4 billion of investors' money—$4 billion that has gone down the drain. Hundreds of thousands of Australians have been impacted. For tens of thousands of them it was their life savings. And many of them are still fighting for their homes. And the banks were up to their necks in it, financing what was essentially a Ponzi scheme. Every one is all care and no responsibility.

I want to point out tonight what Greg Medcraft has often publicly advocated. He has said: 'You cannot legislate for a change in culture in the banks.' He has been outspoken about the cultural issues in the banks—to the point of frustration. He knows, as our regulator—our watchdog—that he has a limited ability to impact the culture in these financial services companies which influences this bad behaviour. I have been part of this culture, as has Mr Medcraft, and I know what I am talking about.

This culture is the canvas on which the bad behaviour is painted. It is a culture of profit-making, a culture of risk-taking, a culture of cutting corners. It starts from the top, with the bonuses of these big financial services companies, these multi-million bonuses. They flow down through upper-level and middle-level management to the foot soldiers. These banks are set up to make money for shareholders, and it is this kind of culture that leads to this bad behaviour.

It is not every employee of a bank or a financial services company. The committee heard from very good financial planners—good Australians out there doing the right thing and providing good financial advice.

It is absolutely essential that we restore confidence in this industry, and the best way to do that is with a royal commission. The committee took the unprecedented step of recommending a royal commission because the Senate committee recognised that it was limited—it did not have the coercive or investigative powers that were necessary to get to the bottom of these scandals.
We need to have a system where whistleblowers can be protected when they come forward. I have no doubt that a royal commission will hear evidence from people who have not yet come forward.

The only scandals we have been able to address in our Senate inquiries have been brought forward by brave whistleblowers and have been raised to public consciousness by some equally brave and tenacious journalists. It is time that government did more. It is time we did more in parliament. The best way we can actually get this industry back on its feet and get compensation for the victims of financial crime is to have a well-resourced, wide-ranging royal commission into financial misconduct.

Lazarus, Senator Glenn
Queensland: Agriculture

Senator IAN MACDONALD (Queensland) (20:28): Two of the most significant agricultural industries that we have in Australia are, I am proud to say, mainly based in northern Australia. But I, like Senator O'Sullivan, was absolutely dumbfounded to hear today a senator, allegedly representing Queensland, attack two of these industries in some comments he made on a sugar tax and on the Trans-Pacific Partnership. I do not think Senator Lazarus quite understands that he is supposed to be supporting Queenslanders and supporting Queensland industries.

The sugar industry is a vital industry to North Queensland. It employs some 16,000 people in the industry and is comprised of 4,400 mum-and-dad sugarcane farmers. Many of them are in my community of Burdekin, many are in Ingham and many are in Mackay—and many of them are in the Cairns region, where Senator Lazarus claims to have an office. Yet today, on The Drum TV program, he supported the idea of a sugar tax, which would create unquantifiable problems for the sugar industry in Queensland, for those cane farmers and cane farming entities who are supported by the industry, and for the 16,000 Queenslanders who work in that area.

The Queensland industry produces something like 30 million tonnes of sugar, and even Senator Lazarus's home state of New South Wales produces some 1.5 million tonnes of sugar.

Senator Canavan interjecting—

Senator IAN MACDONALD: Well, he played State of Origin for New South Wales. It must be where he hailed from. But not only has Senator Lazarus destroyed confidence in the Queensland sugar industry and all those supported by it with his support for a sugar tax; he is also supporting—as Senator O'Sullivan very correctly pointed out—the abolition of the Trans-Pacific Partnership.

The Trans-Pacific Partnership has done for the sugar industry what the free trade agreements with Japan, Korea and even China could not do—that is, opened up markets in those countries through the auspices of the Trans-Pacific Partnership. More importantly, it has given the sugar industry not everything it wanted but a toehold in the door to the sugar market in the United States. But it goes further: the Trans-Pacific Partnership was one of the best things that has happened to the beef industry in Queensland, an industry that is so vital to the Queensland economy and the Australian economy and that is such a big part of the plans we have for the further development of northern Australia. Yet that one free trade agreement—
the Trans-Pacific Partnership—which is so good for beef and so good for sugar is something that a supposedly Queensland senator wants to get rid of.

I know Senator Lazarus wanders around the north telling everyone what a great Queenslander he is and how supportive he is of Queensland industries and mum-and-dad farming operators. But I will join Senator O'Sullivan—and I know my other Queensland Senate colleagues—in pointing out to Queenslanders that it would seem that one of their senators is totally bent on decimating the sugar industry and the beef industry by his support for a sugar tax and for getting rid of the TPP. Senator O'Sullivan is correct. There is another senator who has same goal in Queensland, and that is Senator Walters from the Greens. It seems that Senator Lazarus and Senator Walters are forming a partnership that will be so destructive to Queensland's industries.

Lazarus, Senator Glenn
Queensland: Agriculture

Senator CANAVAN (Queensland—Minister for Northern Australia) (20:33): I just want to add some brief remarks on the issues that Senator Macdonald and Senator O'Sullivan have raised. The sugar industry is, of course, a very important industry for northern Australia too. I wish I could say that I was astounded or surprised by Senator Lazarus's stance on this issue. But, unfortunately, it is becoming a pattern of behaviour for this particular senator to sell out Queensland jobs without thinking it through. He sells out the jobs of hardworking Queenslanders without really understanding the issues that is speaking on.

We saw it the other week when he latched onto a campaign that was being run against the live export industry at the front of Parliament House. He went down and spent a bit of time down there at a protest meeting and suddenly came out against the live export trade. He did not speak to the Gulf Cattlemen's Association. He did not speak to AgForce. He did not speak to any of the people in the beef industry whose jobs and livelihoods depend on that industry. He just came out with a position because he had spoken to a few blokes down the front of Parliament House.

We saw exactly the same thing this evening when Senator Lazarus went on national TV. He does not realise how important his remarks can be and how much damage they can do to industry. I have been in contact with Queensland canegrowers this evening. There was no communication with canegrowers, no communication with the 4½ thousand families in my state of Queensland and Senator Macdonald's state of Queensland who rely on this industry for their livelihoods. These are farming families who have their whole livelihoods in this industry—and Senator Lazarus has launched an attack on them this evening without even bothering to pick up the phone and talk to them first.

Finally, I want to make the point that this is not just about those farming families; it is also about the jobs in North Queensland that Senator Lazarus professes to want to defend. He was in here only about a month ago saying how important it is to protect the jobs in the meat processing sector—and I completely agree with him. We need to protect them. We want to make sure that we have a strong meatworks industry in this country. We also need a strong sugar milling industry in North Queensland. The cane growing industry provides around 40,000 indirect jobs through 24 mills throughout this country. What Senator Lazarus has done this evening is undermine confidence in that sector and put those jobs at risk. He should, I
hope, reflect on his comments. He should at least have the decency to talk to the cane growing industry tomorrow about his comments. If he truly wants to continue to represent Queensland in this chamber, he needs to think more deeply and consider again the ramifications of his position.

Higher Education: Australian History

Senator LINDGREN (Queensland) (20:36): It appears that in recent times I have spoken about universities on topics such as an alternative national anthem being used instead of the official anthem and rooms designed for the use of Aboriginal and Torres Strait Islanders only. I now rise to speak in this chamber about universities and their so-called progressive or enlightened version of Australian history. If some universities of Australia are trying to cause the referendum for constitutional recognition of Indigenous Australians to fail they are certainly headed in the right direction. Once again we see some left wing intellectual elites take it upon themselves to rewrite history.

As we move closer to the referendum on constitutional recognition, changing history only serves to hamper any constitutional recognition. Understand this: three per cent of Australians are asking the other 97 per cent of Australians to support recognition. Pitting these two apart does not do this. Attempting to make others guilty will not do this. I have said this before, but the 97 per cent of Australians today are not responsible for past injustices, and yet some seek to have them accept the guilt. We can only move forward when people are not harangued into a position. As Harvard historian Niall Ferguson says:

… history is not politically correct. Many on the left therefore struggle with its findings.

History cannot be changed. It has happened. If, as reported, they are saying Captain Cook invaded Australia I feel I first need to correct that. James Cook actually discovered Australia in the sense it was mostly unknown to European society. Captain Arthur Phillip led the first settlement. He did not set out to form any permanent settlement. Cook's 'invasion' consisted of a single 32 metre ship with 73 sailors, 12 Royal Marines, five scientists, two artists, a secretary and two servants. Those two artists must have struck fear into people's hearts!

Eight years later, the second wave of the 'invasion' began with the arrival of the First Fleet. Arthur Phillip's 'invasion' consisted of 14 officials, 269 sailors, 245 marines with 51 wives and children, 543 male convicts, 189 female convicts with 22 children—altogether 1,336 people. Add to those, seven horses, 29 sheep, 74 pigs, six rabbits and seven cows. The marines even failed to bring sufficient ammunition, something they had to keep secret from the convicts.

An invasion is described as being:

… a military offensive in which large parts of combatants of one geopolitical entity aggressively enter territory controlled by another such entity, generally with the objective of either conquering, liberating or re-establishing control or authority over a territory, forcing the partition of a country, altering the established government or gaining concessions from said government, or a combination thereof.

In 1788, Australia was colonised by Britain. Yes, it was devastating to Indigenous people. Yes, cultural clashes occurred and, inadvertently, diseases were introduced that killed many Indigenous people, because they had no immunity to newly introduced diseases. But it was not an invasion or a planned military exercise, as one is lead to believe, nor was it executed with the sole intention of conquering a land and a people.
We have to look at the time and what the intention was. In 1788, there were different values and beliefs held throughout the world to what there are now. It was a time when the major European powers were scrambling to occupy as much of the earth's surface as possible. Even minor powers looked for land elsewhere. Many firmly held to introducing the three Cs: Christianity, commerce and civilisation.

While it was the official policy of the British government to establish friendly relations with Indigenous people, it did not take long before conflict began. The colonists did not understand Aboriginal society and its relationship with the land, and Aboriginal people did not understand the British practices of farming and land ownership. Despite Arthur Phillip ordering that there be friendly relations with the local Indigenous clans, there were many failures.

We have to be realistic. If the British Empire had not settled and colonised Australia, then somebody else would have. It is as simple as that. Who would you prefer to have colonised Australia, the Spanish, the Dutch, the French, the Portuguese or the Germans? History shows that colonisation had dramatic effects on the local Indigenous people. None of these have unblemished records in colonisation and for that matter neither does the British Empire, but I think they were preferable to the other alternatives.

Niall Ferguson writes:

No one would claim that the record of the British Empire was unblemished. On the contrary, I have tried to show how often it failed to live up to its own ideal of individual liberty, particularly in the early era of enslavement, transportation and the 'ethnic cleansing' of indigenous peoples.

Ferguson argues that the British Empire was preferable to the alternatives also.

It is believed that the Indigenous population was between 800,000 and 1.2 million, which would make the First Fleet at the most 0.16 per cent of all peoples in Australia. What do these enlightened intellectuals call the current Middle Eastern and African illegal immigration attempting to enter Europe? The percentage of these illegal immigrants in this current crisis alone is far in excess of this. For example, in Germany this wave comprises about 1.6 per cent of total people. Is this a settlement, colonisation or invasion, or do they have some way of excusing that while condemning another.

We are all here together now; the past cannot be undone. Australia is our country, and when I refer to 'our' I mean both Indigenous and non-Indigenous. It appears intellectual elites rewrite history to appease the Left. This can only drive a wedge between us all.

I have said this before and I will say it again: non-Indigenous Australians of today are not responsible for what happened in the past. All Australians are responsible for how we conduct ourselves today and we are responsible for setting this country's future. The past is not politically correct and cannot be corrected by terminology changes. You do not like it, which is your right, yet you now deny the right of history students to freely interpret the past for themselves. You remove the concepts of study and argument and now mandate a particular belief to be held. So much for free and open intellectual debate. This is right up there with George Orwell's 1984.

We cannot solve the issues of the past but we can ensure the mistakes of the past do not happen again. We can also address the issues of today. What will this self-soothing change of language really achieve? The claim that it is no longer offensive is in itself offensive.
Thinking that those who choose to be offended by the concept of settlement will suddenly become pacified is laughable.

Aboriginal Australia does not need universities to re-write history, it needs them to be innovative and find cures for diabetes and kidney failure; it needs innovative teaching pedagogy to assist with literacy and numeracy; and, most importantly, it needs them to do their job—a role that encourages, engages, develops and educates. That is a university's role and this is what they should focus on.

**Broadband**

**Senator BILYK** (Tasmania—Deputy Opposition Whip in the Senate) (20:45): I rise to speak about the ongoing farce which is this government's rollout of the National Broadband Network. As you know, Labor had plans to deliver an NBN rollout through which most Australians—about 93 per cent—would receive a fibre-to-the-premises connection delivering speeds of up to one gigabit per second. Before the last election the government was quite open that their multi-technology mix approach would not deliver anywhere close to these speeds. But they promised Australians that they would deliver this network for a substantially lower cost, that they would connect Australians far sooner and that the much slower speeds of 25 to 50 megabits per second would be sufficient for the average household or business—wrong, wrong and wrong!

First to the cost argument: over the past few months we have had a series of damaging leaks from nbn co which have seriously undermined the government's narrative on the comparative cost of Labor's NBN and their second-rate alternative. We already know that the cost of the government's multi-technology mix rollout has almost doubled from their original estimate, blowing out by up to $26 billion. But the leaks reveal what Labor has said all along would occur—the cost of alternative technologies which deliver faster speeds continues to fall. A leaked internal nbn co briefing revealed that the cost of fibre to the distribution-point is close to the cost of fibre to the node. This technology delivers optic fibre to the driveway of homes, delivering speeds 10 times that of the government's second-rate copper based network. The company admitted to a Senate hearing that they had taken to the nbn board the idea of ditching fibre to the node in favour of more advanced fibre based technologies.

As for the pace of the rollout, before the last election the government promised that the NBN would be delivered to Australian households by the end of this year. So how is that going? The multi-technology mix—or 'Malcolm Turnbull's Mess' as we know it—has been a disaster. The timetable for the rollout has blown out to 2020—four years later than the government promised. In fact, it took them more than two years to deliver the first fibre-to-the-node connection. The latest leak from nbn co, published in the *Australian Financial Review*, shows that they are behind schedule in all of the 40 fibre-to-the-node areas currently being built—every single one. Twenty-nine of these areas have been delayed by more than 35 days and some have been delayed by 80 days. By contrast, the government has made substantial progress by continuing the rollout of Labor's fibre-to-the-premises, fixed wireless and satellite network.

The government made a huge song and dance last year about delivering the NBN to one million premises, when the overwhelming majority of those connections were delivered according to Labor's NBN rollout plans. Any gains the government has made in the cost and speed of its rollout in switching to the multi-technology mix have been marginal at best and at
worst non-existent. This is how Professor Rod Tucker, a broadband technology expert from the University of Melbourne, explained it in an article in The Conversation last year:

The Coalition sold the Australian public a product that was supposed to be fast, one-third the cost and arrive sooner than what Labor was offering us. Instead the Coalition's NBN will be so slow that it is obsolete by the time it's in place, it will cost about the same as Labor's fibre-to-the-premises NBN, and it won't arrive on our doorsteps much sooner.

By my reckoning, we didn't get a good deal.

But what about the argument that we do not need gigabit speeds? We were told before the election, by Mr Abbott, that 25 megabits per second should be 'more than enough for the average household'. And the Vertigan report said that the average household in 2023 would only need 15 megabits per second. This is utter rubbish. We know that the Vertigan panel's cost-benefit analysis was written by Mr Turnbull's hand-picked mates to suit Mr Turnbull's political narrative. If Singapore, Japan, Hong Kong, South Africa, the UK, France, Spain, Greece, Italy, Portugal, Switzerland, UAE, Brazil, Indonesia, New Zealand and Venezuela all thought that 25 megabits per second was enough, then why are they bothering to roll out fibre to the premises to millions of homes? Why do they want to deliver broadband speeds to their citizens from 100 megabits per second up to 1,000?

Prior to the last election, Mr Turnbull cited US telecommunications company AT&T as an example of the benefits of fibre to the node. Since then, AT&T has abandoned fibre to the node and switched to deploying fibre to the premises, delivering speeds of one gigabit per second. AT&T have realised that 25 megabits per second will not be adequate for most people. In fact, they have described gigabit speeds as 'the new normal'.

Society is changing, and it is driving demand for broadband speed ever upward. A research report by Telsyte, commissioned by nbn co, found that the number of internet connected devices that households would be using would triple from nine in 2015 to 29 in 2020. It is not just the number of devices that is increasing, but the bandwidth required by each device. An application such as 4K TV will need 25 megabits per second on its own, so how will a household with a 25-megabit per second connection use 4K TV when there are other devices connected? Schools and hospitals will need high bandwidth to serve multiple users, particularly with the increasing need for applications such as virtual classrooms and telemedicine. Why should Australia settle for the social benefits of accessing these applications, when we could also have the economic benefits of delivering them?

The Turnbull government waxes lyrical about innovation and having a diversified economy. But how can we have innovation without the platform to deliver it? How can we have a truly diversified economy if we are not competitive in the digital economy? We need fast broadband, not just to access the applications of the future. If Australia is going to remain globally competitive, if we are going to continue to grow the economy and jobs, then we need to be delivering the applications of the future.

In my home state of Tasmania, successful ICT companies are already contributing millions to the local economy, setting up businesses that are becoming globally competitive. They could have gone to Silicon Valley, where they would also have access to fast broadband, but they decided to base themselves in Tasmania because of the lifestyle. Had it not been for fast broadband, they would likely have packed their bags and taken their earnings elsewhere.
The government's failure to roll out a broadband network that delivers internationally competitive speeds is squandering Australia's competitiveness in the digital economy. According to the latest Akamai state of the internet report Australia's global ranking on average broadband speeds has plummeted from thirtieth when those opposite came to government to sixtieth now. But among those experts who understand broadband technology and its applications there is almost universal agreement that fibre to the node is outdated. Lifehacker Australia published an article online in which they summarised the views of academics with expertise in broadband technology who gave evidence to the Senate Select Committee on the NBN. Mr David Glance, Director of the Centre for Software Practice at the University of Western Australia, said, 'Continuing with a fibre to the node approach no longer makes any sense.' Dr Mark Gregory, Senior Lecturer at the School of Engineering at RMIT, referred to fibre to the node as 'obsolete technology' and said the government should accept the weight of international evidence and move back to fibre to the premises. And Professor Rod Tucker, whom I mentioned earlier, said, 'Australia's fibre to the node network will be obsolete by the time it is rolled out and will not be able to deliver the speeds that will be needed in the future.' Every way you look at it, FTTN is a bad idea.

I invite those opposite to reflect on what Australia's economic history would have been had we built a Sydney Harbour Bridge with only one lane. What if the Snowy Mountains hydro scheme had been constructed with just one dam instead of 16? When it comes to big infrastructure projects in Australia, we have a history of planning for the capacity we need not at the time we build it but in decades or even centuries to come. This is called future-proofing. Fibre to the premises is technology that could well last us for the next 100 years. As for fibre to the node, by the time it is fully rolled out across Australia the technology will be redundant.

The Turnbull government's narrative when it comes to the virtues of their second-rate broadband network is unravelling more and more every day. It is not cheaper, it is not quicker to roll out and it is definitely last century's technology. But those opposite persist with the fibre to the node rollout for purely political reasons.

Indigenous Communities

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:54): I rise tonight to speak about the cashless welfare card—yes, again—and I will continue to talk about it again and again while the government continues with this flawed policy. This is bad policy. It is not effective and it will not be effective. The government is trying to roll out a policy which, through evidence, has been established as a flawed policy, and that is income management.

Ministers and departmental staff have been in and out of Geraldton, in my home state, lately trying to convince Geraldton to take up this flawed card. They have been talking to people who they determine are leaders of the community—not elected leaders of the community. In fact, they are talking to people who, when I talk to them, are very surprised that the government is saying, 'We've been talking to the leaders of the community.' People just thought the government was talking to them because they wanted to know what they thought about it—not because they were trying to use them as leaders of the community. But they have not been speaking to the people who will live and breathe this every day—those who are trying to exist on income support, those on Newstart who are living below the poverty line, single parents living below the poverty line on Newstart, people on disability
support pension, people on a carers pension—because, yes, this will apply to them as well. This will apply to people on parenting support—except if you listen to the local member, who is the one advocating for this to go into Geraldton. She says she wants what would be a special deal for Geraldton—that it only apply to those on Newstart. Does she want a different trial for Geraldton than what applies for the other two trial sites, which are predominantly Aboriginal trial sites? Apparently, she does. Apparently, she wants this to only apply to people on Newstart.

Geraldton is suffering a bit from the downturn in the mining industry. People who were recently employed in the mining industry are potentially now on Newstart. This card would apply to them. They are trying to survive on Newstart. So, no, they have not been talking to these particular community members, those that will be affected. I said I would promise the community that I would hold a public meeting if the government did not—and the government did not, so I did. I promised them I would retell in this place their accounts of what they think about the cashless welfare card so that the government could not say they have not heard from the community—because the government says if the community does not want this card, or if a committee does not want this card, they will not go ahead with it. Well, Geraldton says no—and the meeting very clearly told me to tell the Senate, 'We say no to this cashless welfare card.'

One of the many issues I heard from community members in the public meeting that I held is that many of the local sports groups and community organisations do not have EFTPOS facilities. Parents want their kids to be involved in sport, they realise that sport is a healthy activity, but they need to pay cash for their kids to participate in this sporting activity. How are they going to pay with a cashless welfare card? These groups and organisations do not have EFTPOS. Some parents said they may have to take their kids out of activities because they will not be able to find the cash to pay for it because they will not have access to cash.

At the meeting, I heard from a young man who is studying. He buys his text books second-hand for his university course. Because he buys them second-hand he has to pay in cash—a couple of hundred dollars whenever he has to buy textbooks. But he will not be able to pay for those on a cashless welfare card. So he will have to go and buy new books—because the card is the only way he will be able to pay for them—costing him hundreds of dollars more. He was extremely distressed about that. The coalition is saying it wants to make it harder for this young man to be able to study.

We heard from people who are paying their rent in cash at the moment. Again, that will be much harder under the card. It makes it much harder for the tenant and the landlord. Landlords or homeowners who have a mortgage offset account may also have problems—and this was the first issue raised at the public meeting.

Many op shops do not have EFTPOS facilities. At some other trial sites, we heard that people were having trouble paying Telstra bills and other bills and using the card at a post office. We heard that the cards cannot be used on certain websites to pay for things either.

We also heard at the meeting that the card was demoralising for people. We heard this over and over. People thought it would stigmatise them, undermine their self-esteem, take away their privacy and take away their choice if they are receiving income support. People spoke about the challenges to mental health. Many people receiving income support might be
struggling with illness, disability or other family challenges and they felt this would make things worse.

Many were looking for work and felt that dealing with this extra issue might also be an issue. On top of the challenges of finding work, they spoke of being forced to use a system that is demeaning and impractical. They felt it would add stress to their already quite stressful lives and make it harder to manage their money. It is understandable that forcing people onto the card might have a negative impact on their self-esteem and even their mental health. The community felt they were being blackmailed into accepting this card; they understood that, if they were to get additional services, they would have to take it. They should not have to accept this sort of card in order to get the additional services they need and should be receiving as a member of the community.

Community members also thought that the card would not help people with substance abuse problems. Let's remember, the government is saying that this is the purpose of the card. It is intended to be a measure that helps people address substance abuse issues and gambling addictions. But, at the meeting, people were quite clear that those suffering a serious substance abuse issue would still find a way to access drugs and alcohol and that this card would impact on other community members and make it harder for them while not addressing those very substantial issues. They acknowledged that these issues needed to be addressed but that this card was the wrong way to go about it.

Community members told me they were concerned about the card's impact. They felt that those on the lowest incomes, those who were poorest in the community, would be adversely affected. They were worried about the risks of homelessness, and some communities were concerned about what people would do who could not access cash. Most of all, community members told me to tell the Senate that they reject the cashless welfare card. They do not want this card. They want their voices heard. They do not want to have the card inflicted upon them. They very clearly told me to say: 'Geraldton says no.' So I say to the government that the community clearly does not want this card.

The government has not spoken to them. Community members are firmly against the card, and the local ALP candidate for Durack is not following the ALP line of supporting this card. Does the WA government want a second trial of this card in their community? It is already going ahead in East Kimberley—unless the Senate miraculously supports the motion I lodged today to disallow the East Kimberley trial. Does the WA government support this card going ahead in Geraldton, when the community is very clearly saying 'no' to this card?

How can the government possibly support a different trial for a community that is not predominantly Aboriginal? The trial is going ahead in Ceduna, East Kimberley, a predominantly Aboriginal community. What the government may be contemplating is a different trial in a community that is not a predominantly Aboriginal community. Different rules apply. How can that trial effectively measure the impact of this card? It is a flawed measure to move it out to Geraldton and the community says no.

**Forestry**

_Senator RICE_ (Victoria) (21:04): Two weeks ago, Senator Di Natale and I made the short trip to Victoria's Central Highlands—on Melbourne's doorstep—and met with local community members about the beautiful forests that make up their backyards. Their stories
were inspiring and their concerns were justified. They see their backyards being demolished, their livelihoods smashed and their opportunities taken away. But they have hope that their voices will be heard.

A similar story is playing out among many communities near native forests across the country. These forests are part of our national heritage—from Bruny Island, in Tasmania, to Eden, in New South Wales, and to the great southern forests in Western Australia. For the local communities, they provide a way of life. Visitors provide a living for local tourism, accommodation businesses, shops, cafes and restaurants. Residents wake up every morning, breathe in the fresh air and take in their surroundings. What a wonderful thing for anyone's mental wellbeing.

People visiting these forests enjoy a break from the hustle and bustle and connect with nature. And if they are very lucky they might see one of our endangered animals such as the Leadbeater's possum in the Central Highlands or the swift parrot on Tasmania's Bruny Island. These animals and birds that can be found nowhere else on this planet call our native forests home. People in our cities all benefit from the fresh air and water flowing from these forests. And for the planet, at a time when the effects of global warming are being felt worldwide, our native forests are of massive value in storing carbon. Letting our forests grow old and soak up carbon is a critical part of seriously tackling climate change.

Our native forests belong to all of us, but they are under threat like never before. In Victoria's mountain ash forests, for example, it is estimated that the amount of old growth at the time of white settlement was about two-thirds the area of these forests. It is now only one per cent. This is of massive concern, because it is only when these trees are well over 100 years old that they form hollows that are needed by many animals and birds to nest in.

Too many of our forests have been destroyed by an industry that is stuck in past centuries—industrial-scale clear-fell logging. Destructive logging of our forests puts short-term gains ahead of their long-term benefits for our water, for our precious animals, for tourism and recreation, and for our safe climate. Even if the trees regrow—and many do not—the forests are never the same and will not regain their grandeur and value as homes for wildlife until they are well over 100 years old—if they are not relogged well before then. As I said in my first speech in this place, perhaps the worst thing is that this destruction is just so unnecessary.

The native forest industry likes to make out that wood from these forests is used for high-quality furniture and wood for our homes, but this is far from the truth. The vast majority of the wood is shredded into wood chips, heavily subsidised by the taxpayer with minimal job creation. Only four per cent of the wood from Victoria's Central Highlands mountain ash forests ends up as sawn timber. Four per cent! Yet both the government and the Labor Party want to continue to allow the destructive logging of our native forests and to continue the failed management practices of regional forest agreements.

There are 10 regional forest agreements between the federal and state governments. When they were introduced almost 20 years ago they were meant to end the forest wars, but instead they have failed to protect our forests and failed to protect jobs in the industry. What is more, they exempt the industry from our national environmental laws. Even the mining industry does not get exemptions like that.
Let us look at what happens in the forests of East Gippsland. Here we have majestic forests with massive trees that were growing when Captain Cook sailed past in 1770. These forests are being razed to the ground and burnt to a crisp, killing animals like spotted quolls and long-footed potoroos and polluting the formerly pristine streams and rivers. These agreements between state and federal governments are coming to an end. They should be scrapped, but both the Liberal and Labor parties seem set to lock in these outdated agreements for another two decades of destruction.

Not satisfied with trashing our forests, the government has trashed our renewable energy legislation by allowing the burning of wood from native forests for energy to be labelled as renewable and to be eligible for subsidies. Labor could have made native forest burning a deal breaker when they assisted the government in gutting the Renewable Energy Target, but they did not. Let us be clear: burning native forests for energy is neither clean nor renewable. It increases pollution and reduces the value of our forests as carbon stores.

Only today we have seen the suggestion from the Australian Forest Products Association to allow renewable energy credits from the burning of native forests for direct heat energy. The Liberal and Labor parties must now make it clear that enough is enough. Perhaps the Liberal Party is a lost cause, but I call on the Labor Party to make a sensible decision and pledge to protect these forests before the upcoming election. Pledge that clean energy means actually clean energy. Acknowledge that the regional forest agreements have failed. Vow to put our native forests back in the hands of local communities and shift the industry out of native forest logging.

It is interesting to explore the reasons behind the reluctance for this to happen. It is a case study in the power of big business over the old parties. Take the company Brickworks, for example. Brickworks are the parent company of Auswest Timbers, one of the largest native forest wood products companies in the country. They are also a major donor to the Liberal Party. They gave $263,000 to the federal Liberals during the last federal election campaign. They got a lot out of that donation. They were big campaigners against the price on carbon. They were big supporters of allowing the burning of wood from native forests to be eligible for renewable energy certificate subsidies, and they received $17 million in grants made to companies to improve their energy performance. What value for their donation! I am sure that Brickworks are also big supporters of the push for renewable energy certificates—that is, big subsidies—for the burning of native forest wood for heat—wood that they burn in their brick kilns.

Our forests are just pawns in these deals. It is time to get money out of parliament. We need a national corruption watchdog, a national ICAC, to prevent corruption and investigate allegations of misconduct. The Liberal and Labor parties should clean up their act and stop taking donations—dirty money—from the big end of town.

In contrast to these dodgy deals, the Greens are working with local communities to bring forest management into the 21st century and protect our forest for generations to come. This will mean taking action to ensure that our wood and paper industries are fully based on plantations. Given that we are already at 85 per cent, this is not an unrealistic goal. We have to make sure that communities are supported to shift to new economy industries, including plantation-based forestry, land and water management, production of clean energy as well as recreation and tourism.
When Senator Di Natale and I visited the Central Highlands, we announced our vision to boost tourism in the area: $3 million of federal funds to invest in the tourism potential of the area. We recognise that tourism in regional Victoria is an industry that already contributes $3.3 billion statewide and provides jobs for thousands of people. These grants for innovative local tourism businesses and tourism attractions, along with establishing the Great Forest National Park, will put the forests back in the hands of the local community. They will give more people the opportunity to experience incredible bushwalks, the crystal-clear water, our precious Australian animals and everything else that is wonderful about these forests. It is just the sort of thing that we need to do around the country to ensure the creation of new, sustainable jobs for nearby communities and to protect our native forests for generations to come.

Garland, Canon David John, OBE

Senator MOORE (Queensland) (21:14): This Friday, at Kangaroo Point Cliff Park in Brisbane, there will be a ceremony to honour the work of Canon David John Garland, an energetic Dublin-born Orangeman who became known as the architect of Anzac Day. The 25th of April, which is now such an important part of Australian life, was shaped by an extraordinary energetic, public-spirited and organisationally gifted Anglo-Catholic priest 100 years ago.

David Garland migrated to Brisbane in 1886. While working in Toowoomba as a law clerk, he was influenced by another extraordinary man, Reverend Tommy Jones at St James Parish in Toowoomba. He converted from his strong Irish Protestant background to be part of the Anglo Anglican Church. In terms of the work that this man did—and that lives today—he developed the concept of the Anzac Day ceremony which continues, in many ways, in a similar way to this day. He saw that this ceremony should be an Australian All Souls' Day—a remembrance day that, whilst having elements of religion, was essentially secular and was able to appeal to Australians and to people from overseas to gather together to commemorate sacrifice, to remember loss and to join together in this feeling.

He also understood that this needed to engage with people of all religions. Again, at that time in Australia there were people who belonged to a number of churches, many of whom did not speak to each other. But, in particular, in the Anzac Day ceremonies that Canon Garland was involved in he was determined that there be a balance in the way that the acknowledgement of Anzac Day was done so that people of different theological backgrounds would be able to join together. In those days, there were particular concerns around sectarianism between Protestants and Catholics. The Protestants did not believe in praying for the dead; it was not part of their theology. The Catholics at that time were bound by a process which would not allow them to join in services run by other religions.

Canon Garland cut through this kind of behaviour. The organising committee for the first Anzac Day was a civic occasion brought together by the local political leaders at the local government level—the two mayors of Brisbane, as it then was—the Premier, the Leader of the Opposition and the various state ministers. They got together to proclaim that they would inaugurate an Anzac Day service in Brisbane. They were seated together in moving forward with the Anzac Day organising committee, of which Canon Garland was the secretary. A historical photograph shows the civic leaders and also the religious leaders of the community together making a public statement that they were going to establish a ceremony in Brisbane.
On that stage were representatives of the key religious groups in Queensland—the head Rabbi, the Salvation Army, the various Protestant churches and, front and centre, Archbishop Duhig in all of his regalia. They were part of this grouping that was able to understand that the particular celebration, acknowledgement and remembrance of Anzac Day was something that brought communities together.

Canon Garland's previous activities actually showed the kind of passion, zeal and, as often quoted about the man, administrative abilities which were able to prepare him for this work that he took on to show the acknowledgement of whom he called 'our lost'. He served in the Diocese of Toowoomba and then in the Diocese of Grafton. He was ordained a priest in Perth in 1892 and served in Western Australia for a decade, showing a real aptitude for administration and journalism. He then, for the first time, was working with troops when he went to look at the troops in Fremantle ahead of their deployment to the Boer War. I think this was his first meeting. This led to a lifelong dedication to 'his boys' and the acknowledgement that nothing was 'too good for the troops'.

In terms of the personality of Reverend Garland, it is very clear that he was a man of strong personality. He had an uncompromising determination to succeed in any cause he espoused. This character led to frequent and bitter clashes with the hierarchy in various parishes in which he operated. If he could not work with a particular bishop—and that seemed to be regular in his clerical career—he resigned and moved to another diocese. However, in Perth, where he was first introduced to area of chaplaincy, he was deeply involved in the Bible in State Schools committee. This gave him a taste of the need to work within the community to advocate for a cause. Most particularly, this was perhaps the first time he worked as a regular political advocate. He worked—and I use the word absolutely deliberately—tirelessly with local parliamentarians in the area to ensure that work around Bible in State Schools would be successful. He then transferred after there was a serious fallout with the bishop in Western Australia. The bishop at that time wrote a statement about Reverend Garland:

He is very wilful and insubordinate, and in Queensland he is, in my opinion, far too deeply immersed in politics even to settle down as a quiet parish priest. What he needs, and what he professes to want, is a town parish, if possible among the poor. And further he needs to be in a sphere where there are other men of calibre. In Queensland he is a triton among the minnows.

Donaldson, the archbishop in Queensland, went on to say:

There is a lot of good in him: he is fearless, affectionate, sympathetic, and full of zeal, and withal a man of first-class ability.

These kinds of acknowledgements continued to follow Canon Garland throughout his career because he was able to turn his concentration and energy to a range of different civic causes. The Bible in State Schools committee in Perth, in which he was active, gave him a taste. When he moved to Queensland, he became very engaged in the process around the successful referendum in Queensland in 1911 around the Bible in States Schools committee in our state which he led. It was acknowledged that, to a large extent, the success of this process in Queensland was a result of Canon Garland's engagement and administration.

He then moved to New Zealand because of the fame he had acquired in his work in the Bibles in state schools committee there. He worked in similar ways in New Zealand. Whilst it did not have the same success, because the war was called and the political activity around the large-scale activity in New Zealand finalised, there was a genuine respect for his work—so
much so that the New Zealand bishops wanted to show their appreciation by nominating him for a Canterbury doctorate. But, because of some of the personality issues with his Brisbane bishop, that was vetoed. The Queensland bishop believed that Garland was not worthy, as he only had a Dublin primary school education—not enough to qualify for an exalted academic accolade.

When he returned to Brisbane, the outbreak of World War I led to a real opportunity for his organisational talents: first, as the secretary of the state recruiting committee; then, as an army camp chaplain; and, after Gallipoli, as the secretary of the first designated Anzac Day commemoration committee in Australia. He campaigned for a closed public holiday that would have the date of 25 April, with a set liturgy. He insisted that, as I said, it was Australia's All Souls Day, with the concept that people would be able to have the opportunity to acknowledge the day in their own way.

The model for Anzac Day commemoration was very much set by the work that Garland did in 1916, when he established that there would be a process for people to attend their own religious services in their various groups during the morning, then they would gather for some form of public process that would engage with people across the community, followed by a way for people—particularly ex-servicemen who were around—to have some kind of public gathering and dinner. Again, this community spirit was the driving force of his process.

He also actively worked to ensure that the history of Anzac and the history of Australians at war was something that was engaged in Queensland and Australian schools. This model continues to this day with a process that we celebrate, where people go, particularly from the local RSLs, and talk with children at schools so that the memory of ANZAC will never be forgotten. It is absolutely fascinating that this model of commemoration, which was determined by a group in Brisbane with the driving force of Canon Garland, continues to be the type of commemoration that we have across Australia and internationally around Anzac Day.

The process of having Anzac Day declared as a national holiday challenged Canon Garland's ability to advocate with politicians. He worked very hard to ensure that politicians at every level—local government, state government and federal government—were aware of the importance of commemorating the spirit of Anzac and the need to commemorate the deep loss of war. His view was that this should be a day of sober remembrance and, in fact, one which would not have any public celebrations, such as races, or stores being opened. This was the concept he had. It was a difficult one and it took many years across the different states to work together to come up with the common day of 25 April and the common model for service.

Towards the end of the 1920s there was a very deep rift about the ownership of Anzac Day, even in the Brisbane commemoration group, around whether it should be that of the chaplains and the community—the secular process—or whether it should be returned soldiers and what was then the precursor of the RSL. That was fought very, very strongly. Indeed, towards the end of the 1920s, there was a great split, and the more secular approach, with the community activity and moving away from the closed day, was in the ascendancy. However, we still have this memory of the model that Canon Garland set up.

He was also responsible, I think, for one of the more exceptional fundraising processes to support the work and to make sure that soldiers were remembered and looked after—
Lavender Day. It raised extraordinary amounts of money during the 1910s and 1920s. This money was used to support soldiers and to set up support areas across Queensland, particularly, where soldiers could stay and recuperate after they returned from the front. When he received a special task by the then Minister For Defence, George Pearce, Canon Garland was sent to Egypt to work with the soldiers and see to their welfare in that area. That was a very important element, again brought forward by his political focus, because he was able to get this advice from the then defence minister.

His time in Egypt yet again reinforced that there needed to be support services for soldiers so that they did not go into the evils of drink and misbehaviour which were much talked about at that time. Again, Canon Garland actually serviced the spiritual as well as temporal needs of the young men, whom he truly loved. He worked with them as a priest but also as someone very practical, setting up discussion groups, cafes and places where people could stay in safety so that they would not fall into the kinds of habits and behaviours of soldiers overseas which were then being questioned by both the Australian hierarchy and, particularly, the Australian community.

There has been much written about Canon Garland and the work that he did. A very valuable book co-authored by John A. Moses and George F. Davis is now available at the War Memorial. It gives a history of Anzac Day and its origins across Australia and New Zealand. The role of Garland is clearly acknowledged in this book, and his passion and zeal to commemorate what he saw as the essential spirit of Anzac Day is very valuable for all of us to acknowledge now. We could learn from the commitment that he gave.

I do not believe Canon Garland was an easy man. As I said, he had an ability to focus on his goals and be extraordinarily capable in that area but fell to a number of personality conflicts in his career. I certainly read that in his work about raising the awareness of the need to support the war efforts in World War I:

He said even the "hysterical women", the suffragettes, who had "rendered the British Government incapable" before the war had returned to "the true ideals of womanhood" in time of crisis, supporting their King and Empire.

Perhaps that would be a discussion that I would not enjoy if I were there at the same time with Canon Garland. But I would value the spirit and the commitment he gave and also the inspiration and support he has given to people who are following after him, as we all are, in remembering the loss and the horror of war.

It is important that we now see the work of the Canon Garland Memorial Society, who have worked to ensure that this man's memory is cherished and that the work that he has done for so many is remembered. So, on this Friday in Brisbane, I want to acknowledge their work, and I think that the efforts they have made to have the Canon Garland Memorial opened officially at Kangaroo Point on Friday morning attest as much to the man that they valued so greatly.

Canon Garland did receive the award of Member of the Order of the British Empire before he died. Receiving the award was a very special moment for him. It was given to him for his services to church and Empire. In providing the award to him, the then Bishop—maybe we have not heard about any conflicts that Canon Garland had with that bishop—said: 'I want to ask the synod to pass this resolution in a very special way. I am stepping down on the floor of the house to convey to Canon Garland my personal thanks for the immense help that he has
given me in the administration of the diocese during the last 15 months. It has been astounding to me how a man of his age can exercise such a wonderful energy. His influence has been most striking with all classes of thought amongst the clergy, the laity and the government of the state.’

Canon Garland was truly an amazing man. It is wonderful that we are able to commemorate his work and acknowledge that he has had a most striking impact with all classes of thought amongst the clergy, the laity and the government of our state.

Department of Veterans' Affairs

Senator LAMBIE (Tasmania) (21:33): Since 1999 there have been more than 250 veteran suicides that we know about. This alone is evidence of the Department of Veterans' Affairs' maladministration. The Australian Peacekeeper and Peacemaker Veterans' Association and I have been hosting rallies in the capital cities to strengthen our call for a royal commission into the Department of Veterans' Affairs.

On Sunday I was at the rally held in front of Parliament House in Melbourne and was approached by a veterans' advocate. This advocate pointed out that the major health and welfare issue damaging the young veteran community in Australia was an adversarial, incompetent and bureaucratic process within the Department of Veterans' Affairs. Their administrative processes are slow and ineffective and have created a growing gap between the treatment of veterans and the treatment of the civilian population. Veterans do not get the same time frames in claims processing, they do not get the same access to health care, and they certainly do not get the financial benefits that civilians who have been injured in the workplace would receive.

Advocates and veterans are always telling me that veterans often wait more than four times longer than the average civilian for claims to be processed. Because of this, our veterans, who have made an incredible sacrifice for our country, cannot rehabilitate properly or support their families effectively. Our veterans are more disadvantaged in terms of quality of life, disability and morbidity. Another advocate informed me this week that rehabilitation providers are being asked and contracted to make determinations outside of their professional ethical guidelines, that there is a significant lack of meaningful funding for relevant programs for families of veterans and that there is a high demand placed on smaller external service organisations due to community disgust about particular RSL leadership and their treatment of veterans, particularly female veterans.

I have heard of partners of veterans living in Townsville who are trying to step up and support both their veteran and the community but who are being scapegoated and vilified for doing so, and I have no doubt this attitude is nationwide. The veterans living in Townsville are outraged by the relocation of the DVA Townsville office to Aitkenvale Centrelink, alongside the large refugee settlement population who are from the same conflicts our younger cohort have just returned from. How insensitive to place damaged veterans in the vicinity of refugees from the same conflict! The government is placing the veterans under unnecessary emotional trauma when there is an alternative office in Kirwan that would be much more suitable.

My fight for fairer treatment and services for veterans is not about getting special, preferential treatment for them. I just want them to receive what anyone else would if they
were injured in the workplace. That is what my private member's bill does. To ensure they immediately receive the medical attention necessary to rehabilitate the veteran and assimilate them back into civilian society, it automatically grants a gold card to anyone who has been in war or warlike circumstances.

We should not be sending our Australian Defence Force members overseas, because successive Australian governments have betrayed our veterans and have not been prepared to properly look after them when they return home injured. The Department of Veterans' Affairs is a brutal, ignorant, arrogant and dysfunctional government department whose behaviour and decision making needs to be scrutinised by a royal commission. Our veterans deserve a chance to put their hands on the Bible, tell the truth and explain how public servants, doctors and lawyers working for the Department of Veterans' Affairs have ruined their lives and, in some cases, contributed to their suicides.

The Australian public will be shocked when they learn of the scale of the deliberate cover-up of mistakes and the misconduct and abuse of office by employees, managers and other professionals associated with the Department of Veterans' Affairs. In my office, I have almost 400 files of veterans I assist with their battles with the Department of Veterans' Affairs. I can tell you that dysfunction is embedded so deeply within the government agency that only a royal commission will begin to draw out the corruption, complacency and the ignorance of the Department of Veterans' Affairs. Only a royal commission could begin a complete overhaul of the cultural process.

In the meantime, I would like to continue my name-and-shame campaign with regard to the dysfunction in the Department of Veterans' Affairs and share the story of Corporal Adam Hasluck. Adam joined the Army in 2003 and almost every day was exposed to TCDD, a chemical found in fossil fuels and diesel. This exposure was well over 1,000 hours while he was around armoured vehicles, especially during long periods of field training, his nine-month deployment to southern Iraq in 2005-06 and a six-month deployment to Afghanistan in 2007-08. During Adam's overseas deployments, he developed major depression due to how he was treated by fellow soldiers and PTSD from the traumatic events that he experienced and witnessed. While on the deployment to Afghanistan in February 2008, Adam noticed a lump the size of a grape in his left armpit. Adam sought advice from the medic in his patrol and was informed he should see a doctor immediately on his return to Australia.

Once back in Australia, Adam did talk to his unit regimental aid post and did see his doctor. The doctor simply felt the lump—no other testing whatsoever was ordered—and told Adam he had nothing to worry about, that it was a lipoma and to stop presenting to the unit regimental aid post. Over the next 3½ years, Adam was more and more concerned about the lump as it grew to the size of a cricket ball. Adam also experienced constant tiredness, a lot of lower back pain and his hair began to fall out in patches. Adam was diagnosed with alopecia, which is immune system related, in February 2011, but, despite constantly talking to his unit RAP about his concerns, Adam was again ignored. Adam's lump and other symptoms were ignored by the unit regimental aid post and medical staff. No testing was performed, but they decided they would not remove the lump because it was to them a cosmetic issue.

It was not until Adam complained that the lump under his armpit was interfering with physical fitness activities and his work life that the lump was removed and tested in October 2011. Once the pathology came back on the sample from Adam's armpit, it was found not to
be a lipoma but Hodgkin's lymphoma. It was cancer and, because of the refusal to remove the lump for so-called cosmetic reasons, the cancer had spread from Adam's armpit to his throat, tonsils and neck. Adam was unable to have radiation treatment and chemotherapy because of this, which would have resulted in less treatment time and less dosage of toxic chemotherapy to the areas due to how widespread it was. Instead, Adam had to have six full cycles—12 doses—of intense chemotherapy, which has given him a lot of medical problems and has ruined his immune system. Adam, as a result, now suffers from chronic fatigue, chronic joint, nerve and muscle pain, PTSD, major depression and anxiety. Adams' lungs have collapsed and he has no immune system, which means he constantly gets pneumonia and, of course, cancer.

Adam can no longer do the job he put his whole adult life into and loved. He struggles with day-to-day life, physically and mentally, and basic things like crowded places, shops and large gatherings are too much for him. Adam has been robbed of the ability to be able to play with his children for any period of time due to pain, exhaustion and shortness of breath. To add insult to injury, Adam has fought for medical care because the Department of Veterans' Affairs and the heads of Defence refuse to take liability for the cancer developed from the exposure to TCDD. The medical conditions I have already stated and the resulting heart issues all stem from a lack of appropriate medical care despite many requests over multiple years.

Adam told me that he has no problem with his commanding officer or his peers, but Adam rightly feels the Department of Veterans' Affairs and the heads of Defence have failed him. If Adam had had access to an automatic gold card, he would have had access to the best medical care Australia can provide. If only the Department of Veterans' Affairs and the heads of Defence had compassion for those who love their job and have worked for years to protect our nation and many others instead of constantly trying to cover up their mistakes and maladministration.

While I have been a member of the Senate committee investigating many complaints by current and former members of the Australian Defence Force undertaking overseas deployments—in particular Afghanistan—the recurring theme has been the reluctance of serving members to disclose psychological problems whilst serving for fear of being singled out by the Australian Defence Force and being medically discharged. The impact of these problems is not only on their service but their families. There is the breakdown of the Australian Defence Force system to properly treat personnel and provide them with adequate or even any transitional management and the obvious failings of Department of Veterans' Affairs regarding transitional management, administration and payment of compensation claims. With respect to the Department of Veterans' Affairs, what is clear is the absolute breakdown of the system to provide timely decision-making. The compensation scheme created in 2004 is extremely complex, involving up to three pieces of legislation, and the DVA system offsets or pays veterans less for new injuries, even though they arise from different periods of service and involve an entirely different body part. For example, the Department of Veterans' Affairs reduced a lump sum claim for PTSD from service in Afghanistan because of a lump sum claim for a knee injury that occurred many years ago.

The ongoing calls for a royal commission into the Department of Veterans' Affairs and the findings by the Senate committee regarding the failure of the Department of Veterans' Affairs
make the need for a royal commission into the Department of Veterans' Affairs an absolute priority. In particular, consideration should be given as to why there have been so many recommendations and reviews into the Department of Veterans' Affairs due to failures. When there are positive recommendations to assist veterans and their families, the recommendations are absolutely ignored or denied by the Department of Veterans' Affairs and government.

There needs to be consideration as to why the review system of the Veterans' Review Board, the VRB, following adverse Department of Veterans' Affairs decisions, takes so long. It relies on ex-service advocates who are not adequately funded and resourced to deal with the complex legislation, and the review system is driven by lawyers who work within or are appointed by the Department of Veterans' Affairs to sit in on the hearings at the Veterans' Review Board. The president of the Veterans' Review Board is an Army legal officer who, in his spare time, gets paid to review adverse decisions before the Veterans' Review Board, yet veterans cannot be legally represented through the Veterans' Review Board process when they appear before him.

Of significant concern when sitting as a Senate committee member was not only hearing the stories of these veterans and external service organisations about the Department of Veterans' Affairs but reading the submission by KCI Lawyers and the case study presented by Lance Corporal D. For those who may not be aware of Lance Corporal D, he is a former member of 1 Commando Regiment, having served for 20 years in the Army reserves and being deployed overseas to East Timor and to Afghanistan on two occasions. Whilst undertaking operational duties in Afghanistan on 12 February 2009, he was required to take decisive action when under attack that, unfortunately, resulted in the tragic death of five Afghanistan civilians. The event was deeply regretted by all involved; however, there appeared to be no doubt that Lance Corporal D acted appropriately and in accordance with Australian Defence Force training, tactics and procedures. However, Lance Corporal D was charged with five counts of manslaughter by the Australian Defence Force Director of Military Prosecutions.

Despite the best intentions of the Chief of Army at that time, Lieutenant General Gillespie, and others within the ADF hierarchy that Lance Corporal D would be ‘thoroughly supported throughout the legal process’, he received anything but support and assistance both while and after the charges were laid. Firstly, the charges were thrown out as, clearly, the circumstances indicated that he should not have been liable for manslaughter given that he and his mates were the subject of an attack whilst undertaking a compound clearance operation in Afghanistan. Secondly, whilst his period of service was extended so he would remain a full-time Army member, this was done so that the Australian Defence Force could prosecute him. Once the prosecution case was thrown out, there was no attempt to medically screen and consider a medical discharge given that he was clearly suffering from a psychological condition due to everything he had gone through. Essentially, he was thrown out of full-time Army and back into civvy street, where he could try to undertake work, and he attempted a return to his Army Reserve service. However, his Army Reserve duties were restricted because Defence did accept at that point that he had a psychological condition not only due to the unfortunate deaths-in-combat related circumstances but also due to the degrading approach to the event by the Australian Defence Force's Director of Military Prosecutions,
who charged him with manslaughter. The so-called support and help from the Australian Defence Force hierarchy—what do you know!—was nowhere to be seen.

Lance Corporal D's challenges only got worse because he lodged a claim for compensation with the Department of Veterans' Affairs in February 2014 for his psychological condition given the difficulties he had in undertaking any civilian work and the restrictions placed on him by the Australian Defence Force to undertake reserve service. There would be no further deployments for him, unlike for his mates from 1 Commando Regiment, as he would always be known as 'that guy', despite the manslaughter charges being thrown out.

The Department of Veterans' Affairs did not provide any support or assistance, even when they accepted the psychological condition in June 2014, and in fact worsened his situation by requesting all relevant documentation in support of the request for incapacity payments. The best he could get was a $6.20 fortnightly payment for medical treatment. The Department of Veterans' Affairs repeatedly received requests, sent to the Department of Veterans' Affairs deputy commissioner in Victoria, via his lawyer from mid-2014 and throughout 2015 for incapacity payments, highlighting his extreme financial hardship and tragic circumstances that led to him not being able work. When DVA finally acknowledged the request for incapacity payments, it referred to a medical report that suggested Lance Corporal D had two separate diagnosable psychiatric conditions, although they had only accepted one condition— even considering that the other arose directly from his operational service in Afghanistan, the subsequent botched prosecution and his difficulties to obtain and maintain employment together with Army Reserve service. Rather than actually making a decision with respect to giving him income support, the Department of Veterans' Affairs told him he had to lodge another compensation claim for the other medical condition, which he reluctantly did in February 2016. Now the Department of Veterans' Affairs accepts liability for two psychological conditions arising from the same set of circumstances involving his Afghanistan service and maintains the delay and denial of income support.

Throughout this time, the Department of Veterans' Affairs have been well aware of the difficulties for Lance Corporal D to undertake any work and his medical discharge from the Army Reserve. They are aware of his ongoing psychiatric condition and that he is experiencing extreme financial hardship. The charitable support and assistance of Jeff Jackson from the Victorian RSL to pay his credit card has been his only means of paying for the basic costs of living, such as food, electricity, water, gas, phone bills and so on, and stopped him from living on the streets. Thank God he is not another veteran from Afghanistan who is living on the streets. That has been due to the RSL when it should be DVA, who are funded and staffed to, first and foremost, look after our veterans. Lance Corporal D's treatment within the ADF, following his discharge from his full-time service, and the fact that the Department of Veterans' Affairs are yet to pay one dollar—not one dollar—of income support for his not being able to work, despite the requests since June 2014, nearly two years ago, highlight the failures by the system and the department, who are supposedly there to support those who have served in our name and on our behalf.

Many of the files in my office read like these two examples—and, like I said, there are nearly 400 of them sitting there. The Department of Veterans' Affairs is causing more deaths for our Australians than war. It is devastating families and treating veterans as if they are leeches, when all the veteran wants is acknowledgement of their service via medical
treatment. I again call on the government to establish a royal commission into the Department of Veterans' Affairs and to pass my private member's bill for an automatic gold card.

We will always honour the dead, but I tell you what: I will, like many others, continue to fight like hell for the living. I ask all those out there—and I know there are people listening out there tonight: there is Anzac Day coming up; I am asking you to wear the gold ribbon and show your support for an automatic gold card for those who have war or war-like service so they can get the immediate medical attention that they need, so that they will not be like these and the other 400 people sitting in my office waiting for the medical treatment that both governments of this chamber have failed to give them in the past.

You have a perfect opportunity to run into the next election and to take this automatic gold card for war or warlike service and give the men and women who have served this country the break that they need. If you do not want any more suicides riding on your own back, then—for goodness sake!—give them the automatic gold card. I tell you what: between that and royal commissions, it is the only thing that is going to stop these suicides.

**Murray-Darling Basin Authority**

**Senator MADIGAN** (Victoria) (21:53): On 17 March, the Senate's Select Committee on the Murray-Darling Basin Plan handed down the report of its inquiry into the Murray-Darling Basin Plan. I was pleased to be a part of this inquiry—in fact, I am proud to say I was one of its initiators.

Deep suspicion remains across the Murray-Darling Basin about the Murray-Darling Basin Authority. Deep suspicion remains about its operation and the nature of its attempts to liaise with and listen to local communities. Country communities are exhausted by challenging economic conditions. Country communities are facing dwindling farming and irrigation sectors. Country communities are seeing farmers walk away from farms—many of them in the one family for generations—because of the high cost of water. Country communities, many that presented to the Senate inquiry, remain convinced that the MDBA is proceeding on its own agenda while paying lip-service to consultation.

Many Senate inquiries go to considerable lengths to investigate complex subjects, and Senate inquiries are powerful tools. Many Senate inquiries explore subjects the government refuses to discuss. All the Senate inquiries that I have been involved with have produced profound reports. All the Senate inquiries I have been involved with have produced tangible, common-sense recommendations. All the Senate inquiries I have participated in have provided safe and structured vehicles for Australians to speak out and be heard on issues that are important to them. Many Senate inquiries, of course, gather dust. The government chooses to ignore them. That is not the fault of the Senate.

At the moment, we have a government awash in self-obsession. We have a government unable or unwilling to address numerous pressing issues. We have a government calcified by indecision and infatuated with its own electoral chances. And here is my point. The government moved to abolish the Road Safety Remuneration Tribunal this week because it thought it was a dud body. I would safely say that most Australians, except those who work in the trucking industry, had never heard of the RSRT until this week. I am not discounting this as an important issue. But why stop here?
Prime Minister Turnbull, I call on you to move quickly and abolish the Murray-Darling Basin Authority. It is a body that impacts thousands of Australians. The basin is now home to 2.1 million people, and a further 1.3 million people are dependent on its water supply. The basin is responsible for around 40 per cent of the nation's irrigated production and produces 90 per cent of the nation's cotton, 56 per cent of its grapes, 42 per cent of its nuts and 32 per cent of the nation's dairy—all from 14 per cent of the continent's land mass.

And, less than a decade after the Water Act, less than a decade after the formulation of the plan, we are almost back to millennium drought levels of water across the basin. So what was the point? I do not know. But I know the answer: abolish the MDBA. It is not working. Our water resources are near historically low levels. Country communities are dying. The Murray-Darling Basin Authority has little credibility. So abolish it. Bring it on. I will support it, and so will many others.

Current water-storage levels in the Murray-Darling Basin are at 29 per cent capacity. I repeat that figure: current water storage levels in the Murray-Darling Basin are at 29 per cent. The 2000s drought in Australia, also known as the millennium drought, is said by some to be the worst recorded since the Federation drought. The year 2006 was the driest on record for many parts of the country. And what was the lowest water storage in the Murray-Darling Basin during the millennium drought, you may ask? I am told by those who know, I am told by those who remember, I am told by those who live in the basin: the figure was 27 per cent in 2009. And in 2010, it was at 28 per cent. That is right: we are now close to being at an all-time low in water storage in the basin—the level of water storage that existed during the worst recorded drought since the Federation drought. There are high levels of blue-green algae in the southern basin area. And places such as Broken Hill are running out of water. This is the state of our water resources in 2016. This is the standard of water management by the Murray-Darling Basin Authority. And who is talking about it?

We know that the Murray-Darling Basin Plan grew out of the 2007 Water Act. The act was a response to the millennium drought. And who was the architect of this act? Our Prime Minister, Malcolm Turnbull. Prime Minister, last December in the other place you were asked about water. You said that the government was:

… absolutely committed to ensuring that water is exploited—sustainably, of course—to the economic benefit of all Australians …

If that was more than weasel words, then act now. Act in the dying days of the current parliament. Act in the same way you did on the RSRT. Act in the same way you did in changing Senate voting to get rid of the crossbench. Act like a Prime Minister who sticks to his words, and abolish the plan.

Five years ago a House of Representatives inquiry into the guide to the Murray Darling Basin Plan was highly critical of the Murray Darling Basin Authority's community engagement program. Additionally, that same committee articulated concerns about the MDBA's modelling, assumptions and data gathering. Four years later local communities gave vent to similar complaints. During the Senate inquiry I saw little perception from communities across the basin that the operations of the MDBA had changed in response to the first report. As I said in a dissenting report, basin people are suspicious, frightened and angry about an organisation they see as all-powerful and non-responsive.
I take seriously evidence that the MDBA’s modelling has been proven wrong, that the organisation is not responsive to criticism and has, in some cases, forced constituents to resort to freedom of information requests to obtain data. As I said in the dissenting report, I remain deeply concerned that the MDBA is a well-funded and diverse bureaucracy dedicated to its own self-preservation. I remain concerned that there is little real accountability to the government or the parliament by the MDBA. I remain convinced the authority, and therefore the government that tacitly supports it, does not care about the thousands of rural and regional Australians who are impacted by its operations and decisions. I remain troubled that this organisation, like many government bureaucracies, is insincere in its pronouncements of regard for local expertise.

As I said in my report, the Murray Darling Basin Plan is one of the largest negative, man-made impactors on our farming communities in the history of our country. More significantly, much, if not all, of the negative impact of the MDBP is ignored by governments and ignored or rationalised by the authority. Many witnesses were adamant that the plan must be paused in order to undertake a more thorough and detailed stocktake of our water resources and their effective management. Others are more hesitant, saying such action would create additional uncertainty. In my view, it is time for action. We are again on the precipice of a national water crisis. Mr Turnbull, pause the plan, abolish the Murray Darling Basin Authority—stop and start again, before it is too late.

### Climate Change

### Asbestos Safety and Eradication Agency

### Taxation

### Donations to Political Parties

**Senator RHIANNON** (New South Wales) (22:02): Tonight I spoke to members of Fossil Free UNSW. They answered my phone call from the UNSW council chambers in the university's chancellery. They are occupying that section of the university. I congratulate these students. They are taking the action that MPs in this parliament should be giving leadership on.

Our planet is overheating, and coal is a key culprit. In Australia coal is the key problem. We know that around the world fossil fuels are driving climate change at an incredibly fast rate. Back in this parliament we see Liberal, National and Labor MPs taking fuel donations. They are approving coalmines. They are inviting representatives of these companies to their fundraisers, and too often MPs of those parties are then taking jobs in the fossil fuel industry. The relationship is insidious, particularly when we consider the consequences of climate change that are already rolling out.

But the people's fight-back is inspiring. I would like to share with you what the students occupying the UNSW chancellery have said. In their official statement they say:

'UNSW must choose our future over the fossil fuel industry. I pledge to take bold action if UNSW does not commit to divest by 15th April 2016.'

That is why a number of these students are occupying the building as we speak. Their occupation has gone on for more than 36 hours. They say—
Our movement is escalating. Students and staff at UNSW are part of a national campaign to move Vice-Chancellors to make the right decision and dump their fossil fuel investments.

UNSW is actually my old university, and I was on the council for a period, so I know the room where they are. I do urge the Vice-Chancellor, Ian Jacobs, to meet with the students and to work with them to achieve the divestment—to be on the right side of driving action on the critical issue of climate change. It surely should be his priority.

This action at the UNSW is part of national and international actions that are happening at campuses around the world. It is called Flood the Campus in Australia, and they are calling for a divestment from coal, oil and gas. In Queensland, the University of Queensland’s chancellery was occupied yesterday, and I understand that the vice-chancellor there agreed to talk to students about divestments. Already at the Australian National University and Monash University there have been partial divestments. Again, I congratulate students and staff who have taken such important action.

As I said, this is rolling out around the world. I understand that there are over 60 universities who have moved to divest—some of them are the Edinburgh, California, Oxford, Glasgow and Stanford universities—again as a result of people coming together and putting pressure on the senior management at those universities. Right now I understand that many universities around the world are taking action in solidarity. I have spoken of some here. Overseas I understand that New York, Colombia and Harvard universities are taking this action.

It is significant that in a few days time countries will sign the Paris Agreement to ensure that our temperature does not rise to the dangerous levels that have been predicted if nothing is done. While there were many aspects that were unsatisfactory about the Paris Agreement—it did not take the fossil fuel industry on, as it should have—it is still a warning to the fossil fuel industry that its time has come. Yes, this industry has made a great contribution to our societies and our economies over many decades, but we now know the problem. We know there is another way. That is why these students—as students have done over many decades, over centuries—are again leading the most important movement that we have today.

On another matter, today I met with the victims of asbestos-related diseases. I have met with victims before—people who have lost loved ones, people who suffer from asbestos-related diseases themselves. I always find it very moving. Today it was not just moving; it was quite troubling to hear what they had to say. I became aware that the Turnbull government is putting the brakes on the vital work of the Asbestos Safety and Eradication Agency.

I met with women who have lost their husbands. I met a young woman who contracted mesothelioma as a young girl—she just picked it up from where she was living. I was told of a very disturbing and what I believe is a heartless approach from the Turnbull government. Before I go into the details of that, I congratulate the Asbestos Victims Association, the Asbestos Disease Support Society and the Asbestos Diseases Foundation. Their work is critical in taking Australia to the next stage of managing these insidious diseases, because while we have had incredible advances in assisting people with diseases we now know that we could have another wave of tens of thousands of people being affected by asbestos related diseases. In fact, Australia has one of the highest incidences of asbestos related diseases in the
world. Around 700 Australians die each year from mesothelioma and more die from lung cancer and other asbestos related diseases.

Proper management is needed. It is quite staggering that tens of thousands of Australians could be exposed and diagnosed with asbestos related diseases in the future. This brings us back to the issues that were raised with me today. Really, it is one of those aspects of government work that one should not even have to come into this chamber and talk about; it should be so easy for the government to get on and do the job. The issue is the funding of the Asbestos Safety and Eradication Agency. I congratulate Labor for setting up the agency, recognising it was needed to identify possible products containing asbestos coming into Australia. It is not just building products that are affected. I found out today that asbestos has been found in children's crayons and, for people who have children or grandchildren, in Dora the Explorer toys. Those are very popular young people's, mainly young girls', figures. There are books, toys et cetera. They have found asbestos in these toys and have had to have them removed. This is incredibly serious, and this very important organisation ASEA is ready to do the research, ready to give the leadership to deal with this potential growth.

The immediate issue is that ASEA is ready to work with the Australian Border Force in ensuring that these products do not come into Australia, and dealing with them if they do. But what is very shocking, and I do see the cruel side of the government here, is that it is refusing to sign off on $3 million—only $3 million—that has already been allocated. It is not new money. It is money that is sitting there but, for various reason, the Minister for Employment is saying that she needs to have a review before this money can be given. I have to say that this week we have seen that this government, whose main tactic for the past weeks and since we have come back here, has been blatantly anti-union and in fact anti-worker. You have to think there is a connection here. I spoke briefly with the minister today; I am sure she would deny that. Why would she not just get on with the job and ensure that these few process issues are dealt with?

What has the minister come up with? As I said, delay. The agency sought approval from the minister. I understand that was forwarded to the Department of Employment, which assessed the agency's funding as being sufficient. They are saying that it does not need this extra money that has been allocated. That was despite the CEO of the agency, Peter Tighe, advising Senate estimates on 11 February this year that the lack of funding is preventing the agency implementing the National Strategic Plan for Asbestos Management and Awareness. It had to have a plan, it got the plan, the money was allocated and now the government is saying, 'That last $3 million is not available. We've got to review the whole thing again.' Why would you do that when it has all been approved, particularly on this issue that is so critical?

On 30 March this year, Minister Cash announced that she had commissioned a performance and financial review of the agency. That is the review she has in place. The time frame for the review is five weeks. When we had the informal chat today she mentioned this to me. Let us remember what is going to happen in the next five weeks: an election is going to be called. If that election is called the review will be delivered during the caretaker period, which would leave the situation unresolved for months. We cannot afford that. This agency is sitting there with money to pay staff but no money for the staff to carry out their work, work they are supposed to be getting on and doing under the national strategic plan.
I had very thorough discussions with the people from the various asbestos groupings, as well as with victims who are part of many of these groups and who follow this so closely. They all said that a review is not needed. The issue is simple. Due to unforeseen circumstances, the agency was unable to spend the $3 million to implement the national strategic plan. These circumstances and the agency's current financial position have been dealt with in at least two Senate hearings. Questions have been asked and it has become quite clear that it is time for the money to be released. Seriously, this is the issue: I know Mr Turnbull has a million things to do, but this disease is insidious and it affects so many people. Surely the right thing should be done here.

I would urge the minister in particular not to hide behind the review, because it is a ruse. The minister told me today that she is concerned about asbestos, and I believe her—I think everybody would. But if that is the case the minister should be demonstrating her concern and have the $3 million released now. Otherwise, the election is going to be called and the Turnbull government will be causing more delays and more suffering, and that simply is the wrong approach at this stage.

On another matter, Australia has been awash with corruption related stories in recent weeks. So many of those stories that have broken have given us a window into how the wealthy operate, how they live, how they protect their money and how they ensure they do not pay taxes. It was an insight into that world that ordinary people rarely get. Meanwhile, Liberal, National and Labor MPs in this parliament have continued to deny the need for a national corruption watchdog. I would really say there has been no significant debate about the many scandals that have exposed how the very wealthy make their money, how they hide their money, how they fail to pay taxes and how they get away with it.

Again this week we have seen the Turnbull government fill up the time with debate on unions and workers. I have often come in on that debate and commented that the point about bringing forward the ABCC is to weaken unions and undermine the ability for workers to organise collectively. I would add that there are other reasons to it. It is about running cover, because the constituents of this Liberal-National government are the people who have insight into their world—how they make their money, how they protect their money. I would argue that the very unsavoury tactics we have seen play out in this parliament have a lot to do with running cover. We have seen extraordinary exposures of corruption, but we are not dealing with them here in a very thorough way. It is about distracting attention from the exposure of serious crimes which should be investigated. When you are failing to pay millions of dollars in tax and when you are running various schemes to hide your money—much of it is illegal and if it is not illegal, it is highly unethical—we should be working on what laws are needed to ensure that the right thing is done.

It is worth reminding ourselves, as we finish what was supposed to be a three-week session of parliament in two days, about some of those scandals which should have been major issues for this parliament to consider. There is Leighton Holdings, which has been caught up in the Unaoil scandal. This company is one of the main players in the delivery of Westconnex, a totally unwarranted, irresponsible motorway project right in the heart of the city. It is a con job that goes back to Labor days and is now continued by the Liberals and the Nationals. It is being presented as a solution to transport problems in Western Sydney, but it is not about Western Sydney; it is about connecting to motorways which are getting very close to Sydney's
CBD. Here we have a company which is regularly associated with corrupt practices overseas and which is a major player in the $16.8 billion Westconnex project. The company has been plagued by allegations of bribery and corruption overseas to win government contracts. Interestingly, they are also major donors to the Liberal, Labor and National Parties. Since 2005 it has donated $1.3 million to those three parties. What have we seen at the same time? We have seen that company pick up significant government contracts. It donated $150,000 to the federal and New South Wales branches of the Liberal Party just before the last state election.

Then there are the famous Panama papers—surely we should have spent at least a whole day debating them and working out how to respond to them. There is so much data we need to get into to find out the implications for Australian corporations and what should be done about it, because so much money is being ripped out of Australia. But the issue has barely been mentioned. The Mossack Fonseca have been instrumental, I have to say, in putting the spotlight that web of arrangements through which the wealthy learn to protect their wealth, their privilege, their power. What we are talking about is the use of tax havens, which shield corruption, money laundering, tax evasion and other criminal activities. I would call those things ‘criminal activities’, even if there are no immediate laws against them. As I said, they are unethical and we should be bringing in laws to ensure that people pay their fair share.

It is fair enough that people accumulate wealth but they should pay their fair share to this society. I understand about 11 million documents were released in this latest download. They revealed about 800 Australians who were clients of Mossack Fonseca. I understand that some of them are already under investigation in tax avoidance cases; 80 of them have been identified in the Australian Crime Commission’s database for serious and organised crime. So that is a start—some work has been done there—but, considering the amount of material that has been released, we should be looking at the lessons that could be learnt here. How do we improve the laws?

Again I need to say that, while it is not illegal to set up these offshore companies, it links these various companies and businesses with corrupt practices and criminal activities. It is significant that the Australian company Wilson Security was found to be involved in a Hong Kong corruption scandal as a result of the Panama papers leak. They have extensive ties with the Australian government through their security operations in the Manus Island and Nauru detention centres. That is something we should be giving a lot of attention to. There is a wealth of information there that should be looked at.

Then there is all the work around political donations which I have spoken often about and which we still give inadequate time to. We know that the laws shield the political parties. Coming into this election, people will not know who has given money and how much they have given to political parties and candidates fighting in this election, because disclosures do not have to be made until 1 February in the following financial year. It is another way to limit people’s scrutiny and people’s understanding of who is trying to influence political outcomes. I also note that Australia’s reputation as a transparent country free from corruption is in jeopardy. Transparency International has found a four-year slide in the rankings on its 2016 international corruption index for Australia. That is why we need to get the debates into this place. We need to work out how we are going to deal with corruption because, right now
maybe we do not talk about them, there are big problems and we have a responsibility to deal with them.

The Senate adjourned at 22:22

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

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


Aboriginal and Torres Strait Islander Act 2005—Torres Strait Regional Authority Election Rules Amendment Instrument 2016 [F2016L00507].

A New Tax System (Goods and Services Tax) Act 1999—
Economic Activity Survey—Proposal No. 7 of 2016.
Film, Television and Digital Games Survey—Proposal No. 10 of 2016.
Private Health Establishments Collection—Proposal No. 9 of 2016.

Australian Charities and Not-for-profits Commission (Consequential and Transitional) Act 2012—
Australian Charities and Not-for-profits Commission (Consequential and Transitional) Regulation 2016 [F2016L00515].

Business Services Wage Assessment Tool Payment Scheme Act 2015—Business Services Wage Assessment Tool Payment Scheme Amendment Rules 2016 [F2016L00508].


Cocos (Keeling) Islands Act 1955—Cocos (Keeling) Islands Utilities and Services Ordinance 2016 [F2016L00525].


Financial Framework (Supplementary Powers) Act 1997—
Financial Framework (Supplementary Powers) Amendment (Agriculture and Water Resources Measures No. 1) Regulation 2016 [F2016L00517].
Financial Framework (Supplementary Powers) Amendment (Education and Training Measures No. 2) Regulation 2016 [F2016L00516].

Financial Framework (Supplementary Powers) Amendment (Health Measures No. 2) Regulation 2016 [F2016L00512].


*Food Standards Australia New Zealand Act 1991*—

Food Standards (Application A1112 – Food derived from Herbicide-tolerant Corn Line MZHGI0JG) Variation [F2016L00519].

Food Standards (Application A1114 – Food derived from High Yield Corn Line MON87403) Variation [F2016L00520].

Food Standards Australia New Zealand Amendment (Forum on Food Regulation and Other Measures) Regulation 2016 [F2016L00521].


*Legislation Act 2003*—List of legislative instruments due to sunset on 1 October 2017.

*Migration Act 1958*—


*Parliamentary Entitlements Act 1990*—Parliamentary Entitlements Amendment Regulation 2016 (No. 1) [F2016L00522].

*Taxation Administration Act 1953*—

Classes of Electronic Payment System Transactions Exempt From Providing Third Party Reports Determination 2016 [F2016L00527].

Classes of Electronic Payment System Transactions Exempt In The 2017/18 Year From Providing Third Party Reports Determination 2016 [F2016L00530].

Classes of Government Related Entities Exempt from Providing Third Party Reports Determination 2016 [F2016L00510].

Classes of Transactions for which Government Related Entities are Exempt from Providing Third Party Reports Determination 2016 [F2016L00526].

Water Act 2007—Water Amendment (Water Information) Regulation 2016 (No. 1) [F2016L00534].

Tabling

The following document was tabled pursuant to standing order 61(1) (b):